

35R.0769
L59.0
1915

UNIVERSITY OF ILLINOIS LIBRARY

SEP 30 1915

Revised Ordinances

of

Lexington, Ky.

May 1, 1915

THE UNIVERSITY
OF ILLINOIS
LIBRARY

352.0769

L59 o

1915

UNIVERSITY OF ILLINOIS LIBRARY

SEP 30 1915



Digitized by the Internet Archive
in 2016

THE

REVISED ORDINANCES

OF THE

CITY OF LEXINGTON, KY.

REVISED AND CODIFIED

BY

ROBERT C. RIVES

TO

MAY 1, 1915

PRESS OF TRANSYLVANIA PRINTING CO.
LEXINGTON, KY.

Adopting the Revision of the Ordinances of the City of Lexington of a Public Nature in Force the First Day of May, 1915.

Whereas, Robert C. Rives, Esq., an attorney at law, of the Fayette County Bar, has, by direction of the Board of Commissioners, revised the ordinances of the City of Lexington, of a public nature, up to May 1, 1915; and,

Whereas, Said revision, together with the index thereto, has been completed; therefore,

Be it ordained by the Board of Commissioners of the City of Lexington:

Sec. 1. That said revision of the ordinances of said City of a public nature be, and the same is now adopted and the ordinances set forth in said revision are ordained to be the ordinances of said City of a public nature in force upon the first day of May, 1915, and it is now ordered that the said revision be published in one volume entitled "Revised Ordinances of Lexington, Kentucky."

Sec. 2. This ordinance shall take effect when signed, recorded and published as required by law.

Passed by Board of Commissioners June 4, 1915.

Attest:

J. E. CASSIDY,

JAS. J. O'BRIEN, City Clerk.

Mayor.

(NOTE—The appendix contains 4 ordinances, viz.: No. 593, creating a Building Inspector; No. 621, amending Sec. 203, concerning "Automobile licenses"; No. 662, amending Sec. 32, concerning "Board of Health," and No. 607, "Plumbing Code," passed after revision had gone to print.—Ed.)

Ordinances of the City of Lexington, Ky.

CHAPTER I.

ACCOUNTS†

Sec. 1. All accounts against the city must be made out against the particular fund from which the same was ordered, setting out each item thereof, and the price of same, and, in cases of supplies furnished the city, be accompanied by the written order of the Mayor upon which the articles were furnished. All accounts must be presented to the Auditor before the last day of each month, made out as above required accompanied by a written statement showing to whom the same was furnished.

Sec. 2. The account of the official newspaper shall be made out in the manner and form required by the preceding section; and, in addition thereto, shall be accompanied by proof slips of all the work charged for in said account, and a certificate from the City Clerk that said work was ordered by him, or some other person having authority of law to order the same, and that the work has been done in accordance with the copy furnished and in a satisfactory and workmanlike manner, and the prices charged for each item of said account is the price allowed by law.

Sec. 3. All accounts for salaries or compensation of employees shall be accompanied by a certificate from the head of the department to which said officer or employee belongs. And in case of the Police and Fire Departments, in addition to the certificate of the Chief of Police and Chief of Fire Department, the Mayor shall endorse the same as correct.

Sec. 4. The fifteenth day of each month shall be the regular monthly pay day for the city for accounts and claims presented during the previous month, audited as required by law, and approved by the General Council, except those of the street hands. If the fifteenth day of the month shall be Sunday or a legal holiday, then the day preceding such Sunday or legal holiday shall be said pay day.

Sec. 5. It shall be the duty of the Auditor to furnish the General Council at its first meeting in each month with a list of all accounts for claims presented to him which he has refused to audit, together with a statement in writing of his reasons for so refusing.

Sec. 6. All moneys collected by the Treasurer, Delinquent Tax Collector and all other officers authorized by law to collect money for and on behalf of the City of Lexington, shall be receipted for to the person from which the same is received, stating the amount of money so collected, the date of collection and the purpose for which same is collected. All of said receipts in addition to being signed by the collecting officer, shall be countersigned by the Auditor. Said receipts shall have double stubs, one to be retained by the officer making the collection and the other taken up by the Auditor when he countersigns the receipt. All of said stubs shall be kept in a bound book and preserved as public records of the City.

Sec. 7. All payments of money made by the Treasurer or any other collecting officer of the City to the City Depository shall be made through the

(†The provisions of this chapter except Section 13 have been, in some particulars, abrogated or suspended by the Commission Form Act, and by ordinances and rules subsequently adopted by the Board of Commissioners.)

Auditor's office, and the Auditor shall keep in his office a receipt book for such purpose. The Auditor shall issue receipts for the amount paid over to the City, and shall take from the Treasurer a receipt for the amounts turned over to the same. Said receipts shall be serially numbered and bound in a book with the double receipts, so that the Auditor's receipts can be torn out and given to the proper party and the Treasurer's receipts retained in the bound book which shall be preserved as a public record.

Sec. 8. The Treasurer shall, on the first day of each month, make out a correct itemized statement of all moneys received by him, the names of all persons from whom the same was received and the date of said receipt. He shall certify to the correctness of same and cause the same to be published in the official newspaper of the city.

Sec. 9. The Auditor shall not pay any claim against the City of Lexington until he ascertains whether the person or persons in whose favor the claim was allowed is indebted to the city in any amount, and if any indebtedness exists, it shall be paid to the Treasurer and his receipts shown the Auditor before he pays the claim against the city.

Sec. 10. The street hands shall be paid weekly on Saturdays, and for the purpose of doing so the Superintendent of Public Works shall, at the first regular meeting of the General Council in each month, present an estimate of the amount of money necessary to pay said street hands for the current month; and upon the appropriation of said sum it shall be the duty of the City Clerk to issue warrants to the street hands for the amounts respectively due them at the end of each week; Provided, however, that claims of said hands shall be certified to as correct by the Superintendent of Public Works and approved by the Mayor and passed on by the Auditor. It shall be the duty of the Auditor at the end of each month to prepare and submit all such amounts to the Joint Committee on Accounts in addition to entering same upon the regular audited list of monthly accounts.

Sec. 11. The City Clerk is authorized and empowered whenever the Mayor shall present to him certified as correct any amount for telegraphing, postage, express charges, freight bills, hire of labor, or other claim for special services to the city, for which it is impracticable to wait until such amount shall take its regular course, to issue his warrant upon the Treasurer for the same, provided that such amounts shall not exceed in the aggregate one hundred dollars in any one month. It shall be the duty of the Auditor at the end of each month to prepare and submit all such amounts to the Joint Committee on Accounts, in addition to entering the same upon the regular audited list of monthly accounts.

Sec. 12. The Auditor is directed to require of all officers to whom fees, costs or commissions are paid by authority of general law to furnish an itemized report each month, under oath to the General Council, of all fees, costs or commissions collected by him and shall have paid over to the City Treasurer, such fees, costs, and commissions collected by him or have given to the General Council satisfactory reasons for a failure to collect and pay over to the City Treasurer all uncollected fees, costs and commissions.

Sec. 13. All park employees other than the superintendent and policeman, shall be paid weekly on Saturdays, and for the purpose of doing so the Commissioner of Public Property shall, after having said pay roll certified to him as correct, draw an order on the City Clerk for the amount named, whereupon the City Clerk shall issue a warrant on the Treasurer, payable to the Commissioner of Public Property. Receipts shall be taken for the various amounts paid park employes and said receipts shall be filed with the Auditor on the following Monday.

CHAPTER 2.

BOARD OF HEALTH.

Sec. 14. **Organization.** 1. The Mayor of the City of Lexington shall appoint a Board of Health, subject to the approval of the Board of Commissioners, under the provisions of section 2059 of the Kentucky Statutes. It shall be the duty of such Board to enforce the rules and regulations of the State Board of Health, and to enforce all ordinances and regulations of the City of Lexington pertaining to the public health within the sanitary limits of the City of Lexington, and assist in enforcing all of the pure food laws of the State. The Board of Health, as it may deem necessary or advisable, shall make recommendations to the Board of Commissioners in all matters respecting the health and the sanitary conditions of the City of Lexington.

2. The Board of Health shall have the power and authority to examine into all nuisances, sources of filth and causes of sickness that shall be found to exist within the corporate limits of the City of Lexington, or within two miles of said city limits.

3. The President and two members of said Board of Health shall act as a Committee of Public Charities, and said Committee shall prescribe such rules and regulations as they may deem proper subject to the approval of the Board of Commissioners concerning the admission and care of patients to be maintained by City appropriations in the charitable institutions of the City. And said Committee shall require of all institutions receiving City appropriations a monthly report setting out the services rendered to said City patients.

4. The Board of Health shall elect one of their number as President, who shall preside at all meetings. In the absence of the President, the Board shall elect one of the number President pro tem.

5. The Board of Health shall, within ten days after the appointment of its members, elect a competent physician, subject to the approval of the Board of Commissioners, who shall be Health Officer of the city, and who shall be the executive head and, ex-officio, a member of the Board. (Kentucky Statutes, Section 2059).

6. The Board shall meet for the transaction of business at least once in each month, and as often as necessary. Special meetings may be called by the President, the Health Officer, or three members of the Board. Four members present shall constitute a quorum.

7. The Board of Health shall make such orders and regulations as it may deem necessary for its own government, subject to the approval of the Board of Commissioners, and it shall have the power to discharge any official of the Health Department and to employ his successor, subject to the approval of the Board of Commissioners.

8. The President shall appoint such standing committees as the needs may require.

9. The specific duties of the Board of Health shall be:

- (a) The prevention and abatement or suppression of nuisances.
- (b) Supervision of the collection and disposal of garbage and rubbish, and control of the collection and disposal of night soil.
- (c) Control of contagious and communicable diseases.
- (d) Preservation and classification of vital statistics.
- (e) The supervision of the water and food supply of the city and they shall look after such other matters pertaining to the health and welfare of the city as they may deem advisable.

10. The City Clerk shall act as Secertary for the Board, and shall keep the minutes of all meetings in a minute book, which shall be preserved as all other records of the City. All physicians who are members of the Board of Health of the City of Lexington, Kentucky, while serving as such, shall be exempt from paying the licenses to practice medicine in said city.

Sec. 15. 1. **Personnel. (The Health Officer.)** (a) Subject to the approval of the Board of Commissioners and the Board of Health, the Health Officer, as executive head of the Board, shall enforce the rules and regulations of the local and State Boards of Health. He shall direct the work in each branch of the Department to the end of securing the best public service. He shall, personally, visit the market house and private markets, stock yards, slaughter houses, restaurants, bakeries, etc., to keep in touch with actual conditions, that he may better direct the work of the inspectors. He shall exact a daily report from each official of all work done outside of the office. He shall make special investigations as to the general sanitary conditions, and he shall report in July and January upon such investigations, the same to include housing of the poor, offensive trades, pollutions of streams, and like matters of sanitary interest. He shall institute prosecutions under direction of the City Attorney, for violation of any provision of the sanitary code.

(b) He shall have supervision of the laboratory and office work.

(c) He shall obtain and keep on file monthly reports from the Fayette County Tuberculosis Association within the city, from the crematory contractor or operator, from the medical inspector of schools, from the charity physician, and he shall embody all reports in his monthly report to the Board.

(d) He shall, subject to the approval of the Board of Commissioners, grant or refuse to grant permits to establish or conduct dairies, restaurants, bakeries, meat shops, or any other business involving the preparation or sale of food.

(e) He shall, whenever it is ascertained that any nuisance or other condition detrimental to the public health exists on any premises, or in any building or other place, serve written notice upon the owner, occupant, or other person in charge of such premises, building or other place, to abate or remove said nuisance or condition within a reasonable time, such time to be stated in said notice, and upon refusal or neglect to obey notice, he shall take such steps as shall be provided in this code to secure the enforcement of the order.

(f) The Health Officer shall, at the direction of the Board of Health subject to the approval of the Board of Commissioners, revoke any permit from any person who has failed or refused to comply with the requirements of the provisions of the sections relating to the performance of the act for which the permit was issued.

(g) It shall be the special duty of the Health Officer to inspect all fish stands in the city three times per week. The Health Officer shall keep and file suitable records of all inspections and analyses provided for in this code.

(h) The Health Officer shall visit all public wards of the hospitals in the city once in each month, and he shall note in each: overcrowding, food, cleanliness, ventilation and attention, and he shall record, report and file such notes. He shall visit the eruptive (isolation) hospital once in each month, or as often as shall be necessary, and he shall record, report and file his notes of each visit.

(i) The Health Officer shall make monthly report to the Board of Health of all work done by the Health Department.

(j) The Health Officer shall perform all other acts necessary to the proper enforcement of the several sections of this code.

2. **The City Chemist and Bacteriologist.**—(a) The Board of Health of the City of Lexington is authorized and directed, subject to the approval of the Board of Commissioners, to select and employ some competent and reputable bacteriologist and chemist, or, it may divide the work and select both a bacteriologist and a chemist, and both shall be fully qualified for the bacteriological and chemical examination of pathological and other specimens of disease, and of water, food products, and other products requiring bacteriological and chemical examination in connection with the health work.

(b) The bacteriologist and chemist provided for in the preceding paragraph shall maintain an office in a room set apart for said purpose in either the Good Samaritan or St. Joseph's Hospital.

3. **Sanitary Policemen.**—(a) Sanitary Policemen shall be selected by the Board, subject to the approval of Board of Commissioners, from persons duly qualified for such work.

4. **Dairy, Meat and Other Food Inspectors.**—(a) Dairy, meat and other food inspectors shall be selected by the Board, subject to the approval of the Board of Commissioners from persons duly qualified for such work.

5. **The Charity Physicians.**—(a) In the month of January in each year the Board of Health shall employ, subject to the approval of the Board of Commissioners, four physicians to be known as Charity Physicians. Said employment shall be for the period of one year, or until their successors are appointed and qualify. Said physician may be removed at any time by the Board of Health, subject to the approval of the Board of Commissioners. Vacancies shall be filled as original appointments are made.

(b) The Board, subject to the approval of the Board of Commissioners, may select one or more physicians to attend smallpox cases, the same to be paid out of the epidemic fund.

(c) The charity physicians shall vaccinate against smallpox, all indigent persons applying to them for such service. The Health Officer shall supply the vaccine needed.

(d) It shall be the duty of the City Physicians to render medical attention to all charity patients of the City of Lexington other than those in the hospital. All calls for services for such physicians shall be made through the office of the Associated Charities of the City of Lexington, which office will apportion duties for attending city cases as nearly as possible among the four physicians. It shall be the duty of each of said physicians to attend one hour every day at the tubercular dispensary. Said physicians will make reports to the Board of Health at the end of each month showing the number of patients treated, giving their names, places of residence, kinds of diseases, results of treatment, number of deaths, and any other information that they may deem important.

(e) The Charity Physicians on visiting patients at their homes for the first time shall note on a form supplied for this purpose, a brief report on the sanitary surroundings of said patients. And they shall promptly transmit this report, properly filled out, to the Health Officer.

(f) The Charity Physicians shall each receive the sum of \$300.00 per annum for their services, to be paid in monthly installments as city officials are paid.

(g) The Associated Charities is authorized and empowered to purchase the necessary drugs and medicines for the use of charity patients, and issue same to the Charity Physicians. The accounts for same, not to exceed \$25.00 per

month for each month of the year, when properly approved by the Health Officer, shall be paid by the city as other accounts are paid.

(h) The Board of Health, subject to the approval of the Board of Commissioners, may at any time direct, in any manner it sees fit, the work of the Charity Physician and the purchase of necessary drugs.

6. **The Fayette County Tuberculosis Society.**—(a) The Fayette County Tuberculosis Society shall make monthly reports to the Health Officer of work done within the city.

7. **The Medical Inspector of Schools.**—(a) The Medical Inspector of Schools shall make monthly reports to the Health Officer.

Sec. 16.—**Nuisances.** Whatever is dangerous to human health, whatever renders the ground, the water, the air, or food a hazard or an injury to human health, and the following specific acts, conditions and things are, each and all of them, hereby prohibited and made unlawful.

1. The deposit or accumulation of any foul, decaying or putrescent substance, or other offensive matter, in or upon any lot, street or highway, or in or upon any public or private place; the overflow of any foul liquids, or the escape of any gases to such an extent that the same, or any one of them shall become, or be likely to become, hazardous to health; or that the same shall, by reason of offensive odors, become a source of discomfort to persons living or passing in the vicinity thereof.

2. A polluted well, spring or stream, or the pollution of any body of water used for drinking purposes.

3. The maintenance of any privy-vault or cess-pool, except as hereinafter provided.

4. Keeping any building or room in such a state of uncleanness, or the crowding of persons in any building or room in such a manner as to endanger the health of the persons dwelling therein; or so that there shall be less than four hundred (400) cubic feet of air to each adult, and one hundred and fifty (150) cubic feet of air to each child under twelve years of age occupying such building or room.

5. Allowing cellars to be used as sleeping-rooms.

6. A building or portion of a building occupied as a dwelling which is not lighted and ventilated by means of at least one window in each room, said window opening to the outer air; which is not provided with a plentiful supply of pure water.

7. The accumulation of manure unless it be in a properly constructed pit or receptacle.

8. The accumulation of water in which mosquito larvae breed.

9. The maintenance, in a public place, of a roller-towel for the use of more than one person.

10. The slopping or feeding of cattle or other animals on distillery swill, within the sanitary limits of the city, unless the enclosure wherein such slopping or feeding is done be provided with means for preventing and removing the insanitary conditions associated with such slopping or feeding.

11. Spitting upon any sidewalk, floor or walls of any public buildings or conveyance.

12. Keeping any live geese, hens, chickens, ducks or other fowls so as to create foul odors or be an inconvenience or menace to the health of any neighboring individual, or in any building or portion thereof that is used as a human habitation.

13. Keeping any horse, mule, goat or cattle in any building or portion thereof that is used as a human habitation.

14. Maintaining any urinal, except it be of copper, galvanized iron, cast-iron white enamel inside, or vitrified earthenware, and the floor and walls of which are not of non-absorbent material within five feet of any such fixture.

15. Any imperfect trap, sink or water closet, within any building, or any other drainage appliance or fixture within any building.

16. Any person violating any part of this section shall, upon conviction, be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars, and each day's continuance of any such nuisance or condition mentioned herein shall be a separate offense.

Sec. 17. **Special Regulations.—Stables.** 1. Every person owning or leasing any stable or other building where any horse, mule or any cattle are kept, shall maintain a substantial and sufficient receptacle which must be so constructed and kept as to protect the contents from rain and to be so screened as to prevent access to flies, and all manure from such horse, mule or cattle must be placed in such receptacle.

2. All persons owning or leasing any stable where more than six head of horses, mules or cattle are kept shall have all manure from such animals removed from their premises twice in each week, from the first of May to the thirtieth of September, and at no time shall the same be allowed to accumulate in such a manner as to become a nuisance. In no event or circumstance shall any manure be thrown or deposited in any alley, street or public place, or suffered to remain in such places.

3. Every owner or lessee of any stable shall at all times keep, or cause to be kept, the building and premises in a clean and sanitary condition.

4. No person hauling manure through the streets shall permit the same to litter the streets.

5. Any person violating any part of this section shall, upon conviction, be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars, and each day's continuance of any such nuisance or condition mentioned herein shall be a separate offense.

Sec. 18.—**Barber Shops.** 1. Every barber's shop within the City of Lexington shall be open to this Board for inspection at any time, and the following rules shall be observed therein:

(a) All barber shops, together with all furniture, shall be kept in a clean and sanitary condition.

(b) Mugs, shaving-brushes, razors, scissors, clipping-machines, pincers, needles, and other instruments, shall be sterilized, either by immersion in boiling water, or in alcohol of at least ninety-five per cent strength, or other effective disinfectant approved by the Health Officer, after each separate use. Combs and brushes shall be kept thoroughly cleaned.

(c) Clean towels shall be used for each person.

(d) Alum, or other material used to stop the flow of blood, shall be applied on a clean towel or other clean cloth.

(e) The use of powder-puffs and sponges is prohibited, except that a sponge or puff owned by a customer may be used on him.

(f) Every barber shall thoroughly cleanse his hands immediately before serving each customer.

(g) Every barber's shop shall be well ventilated and provided with hot and cold water.

(h) No barber's shop shall be used as a sleeping-room. No person shall be employed or shall operate as a barber who has any communicable disease.

(i) A copy of this section shall be posted in plain view in every barber's shop.

2. Any person violating any part of this section shall, upon conviction, be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars, and each day's continuance of any such nuisance or condition mentioned herein shall be a separate offense.

Sec. 19.—Street Cars, Etc. 1. All city and interurban cars shall be thoroughly cleaned once each day, and shall be kept in a sanitary condition.

2. Any person violating any part of this section shall, upon conviction, be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars, and each day's continuance of any such nuisance or condition mentioned herein shall be a separate offense.

Sec. 20.—Garbage, Ashes, Etc. 1. It shall be the duty of every resident householder, tenant, hotel keeper, boarding house keeper, retail dealer, and all parties or persons occupying dwellings within the City of Lexington, to provide, or cause to be provided and at all times keep or cause to be kept, portable vessels for holding garbage, said vessels to be made of galvanized iron of type approved by the Board of Health, and provided with handles on the outside, and a closely fitting cover, which cover shall not be removed except when absolutely necessary. Said vessels shall be kept in the rear of the premises, in the basement, or in passageways most accessible to the collector and never upon the street or sidewalk, and shall be of capacity of not more than two bushels. All such vessels, where not easily accessible, shall be promptly delivered to the collector when called for, and shall be returned by him to their places without unnecessary delay, and no person shall in any manner interfere with said vessels, or the contents thereof, except those authorized for such duties.

2. No resident householder, tenant, hotel-keeper, boarding-house keeper, or any other person, shall deposit in the garbage vessel or tank, any ashes, bottles, glass, tin cans, night soil, or other rubbish, and the collector shall refuse to collect such garbage until all other refuse matter has been removed therefrom, and the collector shall report at once to the Health Officer all such offenses.

3. No manure or putrescible matter of any kind shall be permitted to accumulate in such a way as to become offensive or objectionable.

4. Premises must be kept free from rubbish at all times.

5. It shall be unlawful for any person, firm or corporation to place, throw or deposit on any public street, alley or sidewalk of the City, or upon the premises of any person without his permission, any waste paper, fruit peelings or rinds, dirt, ashes, house sweepings, garbage, filth, dead fowls, dead animals, privy or catch basin cleanings, or any other trash or offensive substance or litter of any kind; or to throw or pour, or permit or cause to run over any sidewalk, street or alley, or any part thereof, any slop, impure water or liquids, or offal of any kind, or to permit any one in his employ to do so. The presence of any such liquids or substances upon any street, alley or sidewalk for twenty-four hours shall be held to constitute a violation of this section on the part of the owner or occupant of the property upon whose half of the street, alley or sidewalk the same is found. Nothing in this section shall be construed to prevent the temporary placing on sidewalks of barrels, boxes and other similar receptacles containing trash and rubbish which is not foul or offensive, and which is not subject to decomposition, if such barrels, boxes or other receptacles are free from holes, and are provided with good, close fitting tops, to be kept securely closed at all

times except for the purpose of filling and emptying the receptacles; and provided further, that such receptacles are permitted to stand on the sidewalk or street no longer than may be reasonably necessary to have the same emptied and the contents removed, nor shall this section be construed to prevent the sweeping of ordinary street dust from the sidewalk into the street.

6. Any and every person failing to perform the duties required of him, or to comply with the provisions of this section, shall for every offense, upon conviction, be subject to a fine of not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars, and each day's continuance of any such nuisance or condition mentioned herein, shall be a separate offense.

Sec. 21.—Sewerage. 1. Every building situated on any street in the City of Lexington, where there is a public sanitary sewer, shall be connected with said sewer in accordance with the ordinances of the City governing such connection, so that all sewerage from the premises shall empty into the sewer; provided, that such building is used or intended to be used as a human habitation or in which persons are employed or intended to be employed, in any manufacture, trade or business. Each lot on which there is a building used or intended to be used for any of the above described purposes shall have a separate connection with the city sewer, distinct from any building or any other lot. Each such building shall be provided with one flush toilet for each family occupying separate apartments in the building and, in case of lodging, boarding and rooming houses, places of manufacture, trade or business, there shall be provided one flush toilet in separate and distinct compartments for each sex living or employed in any such building; further, there shall be at least one toilet for each fifteen (15) persons or fraction thereof, of any one sex using the same. Every compartment containing a toilet must be provided with a window at least three (3) square feet in area, opening to the outer air. It is hereby made a duty of each owner of any such building to cause the same to be connected with any public sanitary sewer already constructed, as herein provided, within ninety days after the passage of this ordinance, and hereafter, within ninety days after a public sanitary sewer is constructed and available for use; and it is hereby made unlawful for any person or persons to occupy or use any such building, or permit the occupancy or use of any such building, for any of the purposes above mentioned, after the expiration of such ninety days unless the building is connected with the sanitary sewer as herein provided.

2. It shall be the duty of the Health Officer to notify in writing the owner or controller, and the tenants or occupants of every building required by this section to be connected with the public sewer, and to so connect such buildings, but a failure of the Health Officer to give such notice shall in no case relieve any such owner, tenant or occupant of the penalty prescribed in this section.

3. Any person who shall violate sub-section 1 of this section or fail to comply with the requirements thereof, shall upon conviction, be fined not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars, for each offense, and each day's continuance of such violation shall be deemed a separate offense.

Sec. 22.—Privies and Night Soil. 1. In those parts of the city, not provided with sewers, privy vaults shall be constructed, and the construction of privy vaults will be permitted only on premises where sewers do not exist in abutting streets.

2. The construction of privy vaults shall conform to the following specifications, unless of equally efficient and water-tight construction, which may be approved as such by the Health Officer.

They shall be at least five (5) feet deep and of such width and length as to make an area of not less than eighteen (18) square feet, inside measurement, but in no case shall the width be less than three (3) feet. The walls of such vaults, if made of brick, shall be of whole, hard, impervious brick, not less than eight (8) inches thick, bonded every seventh course with full heading forces through the wall, laid in Portland cement mortar, and the inside shall be plastered with a half-inch coat of Portland cement mortar, in proportion to one (1) part of Portland cement to two (2) parts of clean, sharp sand. After this coating is put on, it shall be given a one (1) coat wash of cement. The bottom shall be at least three (3) brick courses thick, eight (8) inches thick, laid in cement mortar, or of Portland cement concrete, eight (8) inches thick.

3. When Portland cement concrete is used to construct vaults, the walls shall be at least six (6) inches thick, laid to form, and the concrete shall be made of one (1) part of Portland cement, three (3) parts of clean sharp sand, and five (5) parts of crushed stone, free from dust, and of sizes not less than one-fourth ($\frac{1}{4}$) inch nor more than one and one-half ($1\frac{1}{2}$) inches in diameter, and shall be plastered inside as prescribed above for brick construction.

4. Vaults shall be made water tight and their walls continued twelve (12) inches above the ground surface to prevent surface drainage. No re-tempered cement mortar shall be used. The building over such vaults shall be entirely fly-proof and a vent at least six (6) inches in diameter shall be run from the underside of the floor to at least three (3) feet above the comb of the roof of said building.

5. After the brick work is completed and before the same is plastered, the work must be inspected by the Health Officer, or Inspector, and the work must again be inspected after the walls are plastered, and the vault shall be left uncovered for this purpose until inspected and approved by the Health Officer, and it shall be his duty, if the vault is properly constructed, to issue a certificate to that effect to the person constructing the vault or to the owner thereof. It shall be unlawful to cover any vault or to use same until it is inspected and accepted by the Health Officer or Inspector and a certificate issued as herein provided.

6. No old vault shall be connected with a sewer.

7. Vaults now existing on premises abutting streets in which there is a sanitary sewer, or where sanitary privy vaults are ordered constructed, shall be cleaned down to the bottom or to a point at least ten (10) feet below the surface and filled with earth and ashes.

8. All buildings not connected with a sewer, used as a human habitation and occupied by one family, shall be provided with a privy. No privy shall be constructed within twenty (20) feet of any street, except it be an alley upon which there are located no residences, or within three (3) feet of any lot line, or within ten (10) feet of any door or window of a residence.

9. All buildings, not connected with sewers, used as tenement or apartment houses, and occupied by more than one family, shall be provided with one privy or a suitable separate division of the same for each family. All buildings not connected with sewer, and used as lodging houses, and all such buildings where persons work or are employed, shall be provided with not less than one (1) separate seat or convenience for each fifteen (15) persons employed or lodged in such building.

10. Each owner of property where a sanitary privy vault is maintained shall pay to the Treasurer of the City an annual license tax thereon of three (\$3.00) dollars for every ten (10) persons or fraction thereof using the same. And all such money so received shall constitute a fund, the Privy Fund, to be used

solely for cleaning sanitary privies, as provided herein. Such license shall be paid at the time and in the manner provided by ordinance for the payment of other licenses.

Whenever any owner, agent, tenant or occupant of such property finds that a sanitary privy vault has become foul, or so full as to be within two (2) feet of the top, it shall then be his duty to notify the Health Officer and the Health Officer shall, within a reasonable time, have the same emptied and properly cleaned. Every sanitary privy vault shall be cleaned at least once in every three (3) years, or whenever the Health Officer or Inspector finds that a nuisance exists.

The Health Officer shall keep a record of all sanitary privy vaults constructed and the amount of licenses paid for each such vault, and such record shall include the location of the privy by street and number, owner's name and address, agent's name and address (if there be one), date privy was approved, its width, length, depth, cubical contents, date it was cleaned last and the number of persons using same.

All wagons or carts used for the hauling of night-soil shall either be made of or lined with non-corrosive metal, perfectly water-tight, and provided with a tight fitting cover. A license of ten (\$10.00) dollars shall be paid annually for each such wagon or cart, and prior to applying for such license the owner shall obtain from the Health Officer a certificate of approval. Each such wagon or cart shall be inspected by the Health Officer at least once in every six (6) months and if found to be defective shall be condemned and not used for the hauling of night-soil until approved by the Health Officer.

Night-soil shall not be removed from any privy vault or cess-pool, except between the hours of nine (9) o'clock p. m., and four (4) o'clock a. m., except by written permission from the Health Officer. Night-soil shall be removed to the hopper provided by the city on the Crematory grounds or to such other place as the city may provide.

11. Cess-pools may be constructed only when written permission has been obtained from the Health Officer and in no case shall they be constructed when there is a sanitary sewer in the abutting street, nor shall any connection be made from them with any sanitary sewer. All existing cess-pools and those hereafter constructed, on premises, must be abandoned within thirty (30) days after the completion of a sanitary sewer in any of the abutting streets; further such cess-pools shall be thoroughly cleaned out, filled with earth or ashes, and all sanitary sewerage from said premises shall be connected with said sewer.

The materials and method of constructing a cess-pool shall be the same as those governing the construction of sanitary privy vaults, as heretofore provided in sub-sections 2, 3, 4 and 5, of section 22, except as to size, which shall be a capacity not less than forty (40) barrels, arched over, provided with a twenty (20) inch cast iron ring and cover. This applies to all existing cess-pools when same are found to be defective by the Health Officer or Inspector.

All cess-pools must be cleaned within ten (10) days or less, upon the receipt of a notice from the Health Officer or Inspector, at the expense of the owner, agent, tenant or occupant of the property.

12. The term sewer, as used in this ordinance, shall be construed to mean a sanitary sewer.

13. A cess pool is defined to mean a privy vault intended to recover liquid wastes from a building where persons live or are employed.

14. Any person or persons violating or assisting in the violation of any part of this section shall, upon conviction, be fined not less than ten (\$10.00)

dollars nor more than one hundred (\$100.00) dollars, and each day's continuance of any such violation, nuisance or condition mentioned herein shall be a separate offense.

Sec. 23.—Vital Statistics. 1. Every practicing physician, undertaker, and midwife shall within ten (10) days after notice from the Health Officer, register his or her name, address and nature of his or her duties with the Health Officer, and shall notify the Health Officer of any change of address and the Health Officer shall send to each a copy of the State Law on Vital Statistics and a copy of Section 11 of Ordinance No. 149. (Sec. 24, Rev. Ord.)

2. Any person violating any part of this section shall, upon conviction, be fined not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars, and each day's continuance of any such violation shall be a separate offense.

Sec. 24.—Communicable Diseases. 1. Every physician shall report in writing to the Board of Health the name of every patient he (or she) may have in the City of Lexington with cholera, small-pox, diptheria, typhus, typhoid or scarlet fever, measles, tuberculosis in any form, varicella, whooping-cough, epidemic dysentery, trachoma, ophthalmia neonatorum, epidemic cerebro-spinal meningitis, pellagra, infantile paralysis, hook-worm disease, rabbies, tetanus, pneumonia, or any other communicable disease that may be hereafter declared and published by the Board of Health to be dangerous to the public health, together with the precise locality where such patient may be found, immediately after such physician shall have ascertained the nature of such disease.

If any physician, or midwife, knows or has reason to believe, that one or both eyes of an infant whom or whose mother he (or she) is called to visit, or treat, has become inflamed, swollen and red and shows an unnatural discharge within two weeks after the birth of such infant, he (or she) shall, within six (6) hours, give notice thereof to the Health Officer, or in his absence to the President of the Board of Health.

2. It shall be the duty of the Board of Health to cause a suitable placard to be displayed from the front of any premises where any case of measles, small-pox, scarlet fever, diptheria, chicken-pox, epidemic cerebro-spinal meningitis or whooping-cough is present. It shall be unlawful for any person to remove such placard, when so placed, without the permission of the Board of Health, and it shall be the duty of said Board, in conjunction with the attending physician, to issue the necessary instructions for the isolation of the patient.

3. The bodies of persons who have died of smallpox, cholera, yellow fever, diptheria, scarlet fever, or other dangerous contagious disease, shall be buried within twenty-four (24) hours after death (except by special permission of the Board of Health); and no public or church funeral shall be held in connection with the burial of persons who have died of any of the above-named diseases, and the body of any such person shall not be taken into any church, chapel or any public place, and only the adult members of the family and such other persons as are actually necessary, shall be present at the burial of such body.

4. It shall be unlawful to inter the body of any deceased person in any place in the City of Lexington except some public cemetery authorized by law. Any person violating this provision shall be fined in any sum not exceeding one hundred (\$100.00) dollars. All of the cemeteries used for burial purposes at this time, and authorized in pursuance of the laws and ordinances of the City, are hereby authorized to receive and inter bodies of deceased persons, but hereafter it shall be unlawful for any person or association of persons to establish

or maintain within the City of Lexington any burying ground or cemetery without having been authorized to do so by ordinance of the Board of Commissioners, and any person, firm or corporation violating this provision shall be fined not less than twenty (\$20.00) dollars, nor more than one hundred (\$100) dollars for each offense, and each and every interment of a deceased person therein shall constitute a separate offense.

5. Any person or persons having smallpox on his or her premises, and unwilling to have such person or persons so affected moved to the smallpox hospital, shall be required to keep a guard on such premises at his or her expense, to prevent the spread of the disease, and failure to comply with the provisions of this section shall subject the offender to a fine of not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars for each day he or she fails to comply, and any owner or other person having control of any house where there shall be one or more cases of smallpox, and who, knowing the same, shall fail to give notice thereof to the Board of Health within six hours after its discovery, shall, on conviction, be subject to the penalties of this paragraph.

6. No person shall fail or refuse to be vaccinated or refuse to prevent any minor under his or her control to be vaccinated, when visited for that purpose by the physician employed by the City, unless such person or minor has already been effectually vaccinated at the time of said visit, or is vaccinated by some competent physician within twenty-four (24) hours thereafter. The medical inspector of the city schools shall examine each pupil not submitting satisfactory evidence of vaccination, or not submitting evidence from a physician that vaccination is dangerous to the health of the child, and prevent the entrance of any one who has no vaccine mark, and notify the parent or guardian of said pupil that vaccination is an indispensable prerequisite to admission to the public schools of the city.

7. Whenever it shall be deemed necessary by the Board of Health to establish the true character of any disease which is suspected to be communicable, a medical examination of the person or persons affected by such disease may be ordered by said Board. Any person or persons interfering with or refusing to permit such examination shall be guilty of violating this article.

8. No principal, teacher or superintendent of any school shall knowingly permit any child sick from any disease mentioned in paragraph one (1) of this section, or from any other communicable disease, or any child residing in any house in which whooping-cough, chicken-pox, infantile paralysis, scarlet fever, diphtheria, smallpox, measles, or epidemic cerebro-spinal meningitis, shall exist, to attend any school until such time as the Board of Health certifies to such teacher, principal or superintendent that the said child may attend school without danger of communicating the disease to others.

9. No person from any dwelling wherein a disease dangerous to public health exists, shall take any book or magazine to or from any circulating library. The Board of Health shall inform the librarian of all cases of said diseases, and until a written permit is given he (or she) shall allow neither book nor magazines to be taken or returned from a dwelling where such cases exist.

10. Any person in the City of Lexington having communicable disease shall be isolated as the Board of Health may direct, and all buildings, clothing, property, premises and vehicles which may be infected by emanations from such persons shall be disinfected as the Board of Health may direct. No premises will be disinfected after diphtheria until at least two negative cultures, taken on successive days, have been obtained from the throat of the patient or from the nose, if a case of nasal diphtheria.

11. The Board of Health shall have control of the hospitals for contagious diseases and shall adopt rules and regulations for the management of same. Said Board shall have authority to order and secure the removal and isolation of any person afflicted with a contagious disease. When smallpox or any other contagious disease is prevalent in any city or town, with which the city of Lexington has communication, said Board shall have the power to quarantine against such city or town, and to prevent coming therefrom into the City of Lexington any person or persons who are afflicted with such disease; and to adopt all such regulations as are reasonably necessary to protect the health of the people of the City. No person shall knowingly bring, or cause to be brought, into the City of Lexington, any person infected with any communicable disease, except under a permit granted by the Board of Health.

12. Whenever a placard shall be placed, showing the presence of smallpox, scarlet fever or diphtheria, no person or persons, except the medical attendant and nurses, shall either enter therein or depart therefrom without the permission of the Board of Health.

13. Whenever a person having tuberculosis moves out of a house or an apartment, the attending physician, if there be one, or the active head of the family, shall so notify this Board within twenty-four (24) hours, and both of the above mentioned persons shall be held responsible for a violation of this section.

14. Every veterinarian or other person who is called to examine or professionally attend any animal within the City of Lexington, having the glanders or farcy, rabies, tuberculosis, or other communicable disease, shall, within twenty-four (24) hours thereafter, report in writing to the Board of Health the following facts:

- (a) A statement of the location of such diseased animal.
- (b) The name and address of the owner thereof.
- (c) The type and character of the disease.

15. Every animal which is mad, or which has hydrophobia, or which shows symptoms thereof, shall, if possible, be at once securely confined until the diagnosis is accurately made. Every animal that has been exposed to such disease shall be at once confined in some secure place for such length of time as to show that such exposure has not given such animal said disease, and the body of any animal that has died of such disease, or which being suspected to have such disease, has been killed, shall not be disposed of, except as may be directed by the Board of Health.

16. Any person violating any part of this section shall, upon conviction, be fined not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars, and each day's continuance of any such nuisance or condition herein shall be a separate offense.

Sec. 25.—Tuberculosis. 1. Tuberculosis is hereby declared to be an infectious and communicable disease and dangerous to the public health. It shall be the duty of every physician in Lexington to report to the Health Officer of said city, in writing on forms to be provided by such officer, the name, age, sex, color, occupation and address of every person in Lexington having pulmonary or any other communicable form of tuberculosis, who has been attended by such physician for the first time within one week after the disease is recognized. It shall be the duty of the chief officer having charge for the time being of each and every hospital, dispensary, sanitorium or other similar public or private institution in said City of Lexington, to report in like manner the name, age, sex, color, occupation and last address of every patient afflicted with pulmonary or

any other communicable form of tuberculosis who is in his care, or who is under his observation within one week of such time.

2. The Health Officer of said City of Lexington shall make or cause to be made a microscopical examination of the sputum of persons having symptoms of tuberculosis, which shall be accompanied by a blank giving name, age, sex, color, occupation and address of the patient whenever it may be requested by the attending physician or by the proper officer of any hospital or dispensary, and shall promptly make a report thereof free of charge to the physician or officer upon whose application the examination is made.

3. The Health Officer of said City of Lexington shall cause all reports made in accordance with the first section and all reports showing the presence of tuberculosis bacilli received in accordance with the second section of this act, to be recorded in a register of which he shall be custodian, and which shall not be open to inspection by any one outside of the Health Department of said City of Lexington, and neither said Health Officer nor any one connected with said Health Department shall permit any such report or record to be divulged in such manner as to disclose the identity of the person to whom it relates, except as it may be necessary in carrying out the provision of this ordinance.

4. In case the attending physician fails to request in his report that they shall not be furnished, it shall be the duty of the Health Department to supply each patient or to those in charge of such patients, printed instructions as to the methods to be employed to prevent the spread of the disease in each case of tuberculosis so reported.

5. In case of the vacation of any apartments or premises by death from pulmonary or any other communicable form of tuberculosis, or by the removal therefrom of a person or persons so afflicted, it shall be the duty of the attending physician, or if there be no such physician, or if such physician be absent, that the owner, lessee, tenant, keeper or other person in charge of such apartments or premises shall notify the Health Officer in writing of such death or removal within twenty-four (24) hours thereafter. Such apartments or premises shall then be disinfected by the Health Department at public expense, or if the owner prefers, by the owner to the satisfaction of the Health Department and shall not be again occupied until so disinfected.

6. It shall be the duty of every person afflicted with tuberculosis and of every person in attendance upon any one afflicted therewith, and of the authorities of private and public institutions or dispensaries in said City of Lexington to observe and enforce all sanitary rules and regulations of the Health Department for preventing the spread of tuberculosis.

7. Upon the recovery of any patient from the tuberculosis condition, for which he was previously reported, a report to that effect to the Health Department made by the attending physician shall be recorded and shall relieve said patient from further liability to any requirements imposed by this ordinance.

8. Any person violating any of the provisions of this section shall upon conviction thereof be deemed guilty of a misdemeanor and shall be punished by a fine of not less than five (\$5.00) dollars, nor exceeding twenty-five (\$25.00) dollars.

Sec. 26.—Regulating the Sale of Milk and Milk Products. 1. No milk, cream, ice cream, or substitute therefor, which is unwholesome, or which has been watered, adulterated, reduced, or changed in any respect by the addition of water or other substance, or by any removal of cream or butter fat, shall be brought into, held, kept, or offered for sale, at any place in the City of Lexington, nor shall any person keep, have, or offer for sale in the said City any such milk, cream, ice cream or substitute therefor, except as provided for in this ordinance.

2. The terms "adulterated" and "unwholesome," as used in this ordinance shall mean: First, milk containing more than eighty-seven and one-half (87.50) per cent of water and fluids; second, milk containing less than twelve (12) per cent of milk solids; third, milk containing less than three and one-half (3.50) per cent of fats, or having a specific gravity of less than ten and twenty-nine hundredths (10.29); fourth, milk which, notwithstanding these minimum standards, is not up to the standard produced by the complete milking of the cow or cows in the dairymen's herd; provided, that milk from a Holstein, or other herd, produced by complete milking of the cow or cows, shall not be deemed adulterated if below this standard, and so sold, and the Health Officer or his agent, shall make herd tests to so determine; fifth, milk drawn from animals within seven days after parturition; sixth, milk drawn from animals fed upon wet distillery or brewery waste; seventh, milk from which any part of the cream has been removed, without so labeling; eighth, milk which has been adulterated with water, or any other fluid, or to which has been added, or into which has been introduced, any foreign substance whatsoever, except modified milk for infants or invalids, and which shall be labeled to show the nature and name of added substances; ninth, milk which consists, in whole or in part, of a diseased, contaminated, filthy or insanitary substance, or which has been produced, transported, or kept in a condition which may render the article diseased, contaminated or unwholesome.

3. The term "cream" in connection with this ordinance, shall be held to mean that portion of milk, rich in milk fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force, is fresh and clean, and contains not less than eighteen (18) per cent of milk fat. The term "ice cream" shall mean such product made from standard cream plus sugar, flavor or fruit. It shall be fresh, not contaminated in any manner, and not misbranded or misrepresented. Provided, that nothing herein shall prohibit the sale of products from pure condensed milk, milk, skim milk, and wholesome substitutes, for the albumen of cream, if so labeled, to each and every purchaser and customer.

4. No dealer in milk, by himself or his agent, shall sell, or have in his possession with intent to sell, milk from which the cream has been removed, in whole or in part, unless sold as skim milk, and unless there shall appear in a conspicuous place on the can, or other receptacle from which such milk is sold, the words "skim milk" distinctly and legibly labeled, and in the case of dealers, restaurateurs, and other persons, offering such for sale or serving the same, appropriate and plain signs or labels setting forth such facts to the consuming public, nor shall any dealer in milk, or his agent or agents, sell as skim milk, milk which has less percentage of casein and solids than that contained in unskimmed milk.

5. Whenever it is found, as a rule that milk, sold as certified milk, does not conform to the standard under which it is certified, the Health Officer shall give notice to both the Medical Milk Commission and to the dairyman, or dealer in milk, and if the conditions complained of are not corrected, and the milk brought within the standard under which it is certified, within a reasonable and safe time, the Health Officer shall again notify the Medical Milk Commission and the dairyman or dealer, that such milk is not conforming to the standard under which it is certified, and no person or persons, firm or corporation, shall sell, or offer for sale, milk in the City of Lexington as certified milk, after such notice, and which does not conform to the standard under which it is certified.

6. Any person bringing, sending, having in possession for sale, or selling, in the City of Lexington, any milk products which are adulterated or mis-branded, as set forth herein, shall, upon conviction, be fined not less than ten (\$10.00)

dollars, nor more than one hundred (\$100.00) dollars, or by imprisonment not to exceed fifty (50) days, or by both such fine and imprisonment. Any dairyman, milk dealer, or other person who shall have been twice convicted of selling milk to which water has been added, such second conviction shall, ipso facto, act as a bar to the holding of a permit for the sale of milk in the City of Lexington.

Sec. 27.—Regulating the Sanitary Condition of Milk and Milk Products.

1. No person shall bring on send into the City, or retail in the City, any milk or cream, without a permit so to do from the milk inspector, under direction of the Health Officer, the Board of Health, and the Board of Commissioners, said **permits to be furnished gratuitously to all applicants**, in accordance with paragraph 6 of this section, and to be renewed in the month of April of each year, to be valid.

2. All regular milk vehicles shall bear the name of the owner and the number of the license of the wagon or vehicle tacked thereon plainly and legibly.

3. All grocers, bakers, restaurateurs, bar-keepers, and other persons, having or offering for sale milk or cream, or frozen milk or cream, shall at all times keep the name or names of the person or dairyman, or dairy, from whom the milk or cream was obtained, posted in a conspicuous place, wherever such product may be sold or kept for sale. All grocers, bakers, restaurateurs, bar-keepers, and other persons handling such milk, shall keep the cans, refrigerators, bottles and other receptacles in which milk is kept or stored, clean at all times, and shall thoroughly wash and sterilize, by boiling or steam, all such vessels before the milk is poured therein.

4. Any person who offers for sale milk, skimmed or unskimmed, or cream, in the City of Lexington, whether a resident or non-resident, on being tendered the market price, shall furnish a sample of said milk to any officer representing the Health Department of the City, who may request the same for the purpose of examination or analysis.

5. No milk dealer, dairyman, or his agents, shall remove from any dwelling, or house, in which there is a contagious disease, and which has been so plainly placarded, any bottle or receptacle which has been used for the purpose of receiving or storing milk, that has not been disinfected, as directed by the Health Officer. No person suffering from, or who has knowingly suffered from, within a period of twenty (20) days, or has been exposed to diphtheria, scarlet fever, erysipelas, cerebro-spinal meningitis, smallpox, or other dangerous contagious disease, shall work or assist in or about any dairy or dairy farm; nor proprietor, manager or superintendent shall, knowingly, permit any person suffering or exposed as aforesaid, to work or assist in or about said dairy farm.

6. Permits without charge shall be required of any and all persons selling milk or cream in the City of Lexington, or bringing the same in for sale. Such permits shall apply to all dairies or other places, and to all cattle producing milk for sale in the City of Lexington. It shall be the duty of the milk inspectors, acting under the Health Officer and the Health Department, to issue such permits, and to see that no milk is sold in the city without permit as herein required. Permits shall be required annually on the first day of April, and at such other times as a new dairy or place begins the sale of milk or cream in the City of Lexington, or the production of the same for sale in the City of Lexington, and at such other times as such changes in the source of production or the place of sale as shall make the permit no longer apply to the conditions under which the permit was issued. The milk inspector, acting under the Health Officer and Health Department, shall not issue a permit to any person or persons selling or retailing milk or cream in the City of Lexington who does not furnish once in every twelve (12) months, and at the time of the beginning of any dairy

for supplying milk in the City of Lexington, a certificate on form supplied by the Health Department, which shall apply to, and be conditioned, as follows:

(a) Such certificates shall state that the place from which the milk, which the dairyman, or other person, is at present selling, or proposes to sell, is obtained, is free from disease, and that reasonable items of equipment and methods for production and sale of milk are adequate. Such certificates shall also embrace an enumeration of cattle in the dairyman's herd.

(b) The milk inspector, the Health Officer, or the Board of Health may require a veterinary examination of the cattle producing milk for sale in the City of Lexington, including the tuberculin test, and other recognized means of veterinary diagnosis, to determine as to whether or not the cattle in any herd are infected with any disease. Such inspection and examination shall not be required, and the dairyman shall not be put to the expense of such veterinary inspection, until after the milk inspector, or other agent of the Health Officer, has made a personal inspection of the dairyman's herd. If the dairyman so request, all such examinations shall be made at the expense of the city, or, should the dairyman so desire, the veterinary inspection may be made by any competent and reliable veterinarian employed by the dairyman. The City of Lexington, however, shall have the right, if so desired, to have its milk inspector, or other agent, present at the time of such inspection. Any such certificate of health of animals given by veterinarians, if deemed necessary, may be required under oath of the veterinarian and under oath of the owner or operator of the dairy as to any facts concerning the concealing of disease; and any dairyman who shall, with a secret injection of tuberculin, or other means, conceal disease in any animal or any herd supplying milk or milk products in the City of Lexington, shall be refused a permit, or, having been issued a permit, shall have the same revoked. Whenever any dangerous disease has been found in any cattle supplying milk or milk products in the City of Lexington, in order to continue the sale, and hold a permit so to do, the veterinarian shall tag the diseased animal, and the dairyman or other person shall remove such animal or animals from the herd, and shall have the option of quarantining the infected animal at such distance and in such manner as will safely isolate the animal and its milk. When a herd supplying milk to the City of Lexington has been twice tested, within two years, and found to be free from tuberculosis, or other disease, and where all cattle added thereafter to such herd are similarly shown by the tuberculin test, and other recognized means of veterinary inspection, to be free from disease, and where the animals are identified by a tag, then any such cattle or herd shall be regarded as a tested herd, and subsequent tests shall not be required except as the Health Department may have good grounds for believing that any animals in such herd are diseased.

(c) All dairymen and other persons offering milk and milk products for sale in the City of Lexington, and the veterinarian engaged to make test of animals producing such milk, shall give notice to the milk inspector before the test is made, and the milk inspector, or other agent of the Health Department, as provided herein, shall not only have the right to be present at such testing, but shall designate or arrange with the veterinarian and the party whose cows are to be tested, a time reasonably convenient at which such milk inspector, or agent of the Health Department, can be present. A detailed record of all tests and results with respect to each animal shall be filed by the veterinarian making the test with the milk inspector, and, if required, shall be filed under oath, as provided. The veterinarian making the test or the milk inspector, or other agent of the Health Department, shall cause all animals showing tuberculosis to be marked and tagged, as provided under the laws and regulations of the State of Kentucky. After visiting the herd, as provided herein, the milk inspector

shall give notice to the dairyman of the time within which any cattle or herds shall be tested, as a requisite for selling milk in the City of Lexington.

(d) A permit to sell milk shall not be issued to any dairy which has not the reasonable items of equipment and method necessary for the production and sale of milk in a safe and sanitary manner, or which has not a healthy herd, or whose water supply is in an unsafe condition, or where there are evidences that the employes connected with the production and sale of milk are affected with a communicable disease. And, whenever the Health Officer, his agent, or any member of the Board of Health, shall, by inspection, determine that any such conditions exist, the dairyman shall be notified of the conditions objected to, and if the conditions are not changed within a reasonably safe time, to be stated in such notice, the permit shall be revoked. Provided, however, that if the dairyman can remove his cattle and equipment to another farm and place, and so as to have his product free from the danger of any such conditions found, such permit shall not be revoked.

(e) No permit shall be issued to any dairyman or other person whose dairy, equipment and methods are not open to the inspection of any member of the Board of Health, or any agent of the City of Lexington, and any dairyman, or other person, refusing such inspection, shall be refused a permit to sell milk in the City of Lexington. Provided, however, that before the revoking of such permit, the dairyman, or other party interested, shall be given a hearing, with the right of appeal to the Board of Health, the Board of Commissioners, and to the courts. In cases where there is danger of a contagious or infectious disease, however, the permit shall, after notice, be temporarily revoked, pending such appeal unless the herd is removed to another place, as provided in subparagraph "d."

(f) Milkers, and those engaged in the handling of milk or cream, shall maintain strict cleanliness of their hands and person while milking or while so engaged. The receptacles for milk and all cans for carrying and delivering the same shall be thoroughly cleansed with hot water and soap, or efficient washing powder, and be rinsed with boiling water, or steamed thoroughly, before each milking or before each use.

(g) Every person keeping cows for the production of milk for sale in the City of Lexington shall cause them to be kept clean at all times, and shall cause the teats and udders to be carefully cleansed by brushing, washing or wiping before milking, and shall cause each of said cows to be properly fed and watered.

(h) Any person using any premises for keeping cows for dairy purposes, shall provide and use a sufficient number of receptacles of non-absorbent material for the reception, storage, and delivery of milk, and shall keep them clean and wholesome at all times, and at milking time shall remove each receptacle, as soon as filled, from the room or stable in which the cows are kept; nor shall any milk or cream be stored or kept within any room used for stabling cows or other domestic animals.

(i) It shall be the duty of every person having charge or control of any premises upon which cows are kept for the production of milk for sale in the City of Lexington, to notify the Health Officer of the City of Lexington of the existence of any contagious or infectious disease among such cows, by letter delivered or mailed within twenty-four (24) hours after the discovery thereof, or in person, and to thoroughly isolate any cow or cows so diseased, or which may reasonably be believed to be infected, and to exercise such other precautions as may be directed, in writing, by the Health Department.

7. Milk dealers, restaurateurs, hotel keepers, bar-keepers, and other persons keeping milk for sale, shall keep and serve the milk at all times free from contamination, in clean vessels; and no consumer of milk shall deliver back to a dairyman or milk dealer any bottle or can which is not clean, and no dairyman or milk dealer shall use or refill any bottle or other receptacle received from a milk patron until the same has been thoroughly steamed or scalded.

8. It shall be the duty of any physician holding a permit to practice in the City of Lexington to immediately report to the Health Officer whenever such physician shall suspect the existence of any communicable disease existing in the employer's family of any dairyman or milk dealer or other handler of milk for sale.

9. Where a sample of milk or other food or drug has been examined, and where it is the intention of the Health Officer, or any other city official, to make publication of the findings, as soon after the examination as possible, he shall transmit to the person from whom the sample was taken a copy of the results of the examination, and if such party or parties ask for further examination before publication, such examinations, sufficient in number to determine the actual condition of the product when sold in the market, shall be made, and, when published, the publication shall include all examinations or such average as will show the exact condition of the product as determined by all of the examinations. At least six examinations shall be made monthly of any milk sold in the City of Lexington as certified milk, and the product sold as certified milk shall be judged by the standard which is established by the Medical Milk Commission, under which the certificate is granted.

10. In the enforcement of this and other sections of this ordinance, if the objection to the milk is based upon the bacteriological count, sufficient bacteriological counts shall be made of milks actually obtained from the market, as well as of milks from different sources in the dairy and the distribution, if the dairyman desire, to determine as to whether or not the high count is the exception or the rule in connection with the dairy; provided, however, that nothing in this section or in any other section of this ordinance, shall be construed to prohibit the Health Officer from giving warning concerning certified milk, or other milk, sold in the City of Lexington, when any contagious or infectious disease in connection with the cattle, or the persons employed in connection with the handling of the milk, or other dangers to the public health are apparent, or from the immediate revoking, temporarily, of the permit in all instances where such danger is determined.

11. In collecting samples of milk and milk products for examination, if the sample is intended for bacteriological examination, the inspector shall take the same in as sterile a manner as possible so as to prevent contamination at the time of taking the sample. If the sample is not taken in the original bottle or other package, it shall be taken with sterile tubes or other sterile instruments, and placed in a sterile receptacle; and all such samples intended for bacteriological examination, unless they are, as in the case of original containers of ice cream, packed in iced containers of their own, shall be immediately put into a box or other receptacle containing sufficient ice, and which shall be so constructed and iced as to maintain a temperature under 56 degrees Fahrenheit, and which such box or other receptacle shall have a close-fitting lid.

12. Any person, firm, company or corporation who shall violate any of the foregoing provisions of section 27, shall, upon conviction, be fined for such offense not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars.

Sec. 28.—**Regulating Sanitary Conditions of Food Products.** 1. Every building, room, basement or cellar occupied by or used as a bakery, confectionery, cannery, packing house, slaughter house, dairy, creamery, cheese factory, restaurant, hotel, grocery, meat market, or other place or apartment used for the preparation for sale, manufacture, packing, storing, sale or distribution of any food, shall be properly lighted, drained, plumbed and ventilated, and conducted with strict regard to the influence of such condition upon the health of the operatives, employees, clerks or other persons therein employed, and the purity and wholesomeness of the food therein produced; and for the purpose of this ordinance the term "food" as used herein shall include all articles used for food, drink, confectionery, or condiment, whether simple, mixed or compound and all substances or ingredients used in the preparation thereof.

2. The floors, walls, ceilings, furniture, receptacles, implements and machinery of every establishment or place where food is manufactured, packed, stored, sold or distributed, and all cars, trucks and vehicles used in the transportation of food products, shall at no time be kept in unclean, unhealthful and unsanitary condition, and for the purpose of this ordinance, unclean, unhealthful and unsanitary conditions shall be deemed to exist if food in the process of manufacture, preparation, packing, storing, sale, distribution or transportation is not securely protected from flies, dust, dirt, and as far as may be necessary, by all reasonable means, from all other foreign or injurious contamination; and if the refuse, dirt and the waste products subject to decomposition and fermentation incident to the manufacture, preparation, packing, storing, selling, distributing and transporting of food, are not removed daily; and if all trucks, trays, boxes, baskets, buckets, and other receptacles, chutes, platforms, racks, tables, shelves, and all knives, saws, cleavers and other utensils and machinery used in moving, handling, cutting, chopping, mixing, canning and all other processes are not thoroughly cleaned daily, and if the clothing of operatives, employees, clerks, and other persons therein employed is unclean.

3. The walls and ceilings of every bakery, confectionery, creamery, cheese factory, hotel and restaurant kitchen shall be well plastered, wainscoted, or ceiled with metal or lumber, and shall be oil painted or kept well lime washed, and all interior wood work in every bakery, confectionery, creamery, cheese factory, hotel, restaurant kitchen shall be kept well oiled, or painted with oil paints, and be kept washed clean with soap and water; and every building, room, basement or cellar occupied or used for the preparation, manufacture, packing, storage, sale or distribution of food, shall have an impermeable floor made of cement or tile laid in cement, brick, wood or other suitable non-absorbent material which can be flushed and washed clean with water.

4. The doors, windows and other openings of every food-producing or distributing establishment during the fly season shall be fitted with self-closing screen doors and wire window screens of not coarser than fourteen (14) mesh wire gauze.

5. Every building, room, basement or cellar occupied or used for the preparation, manufacture, packing, canning, sale or distribution of food, shall have convenient toilet rooms separate and apart from the room or rooms where the process of production, manufacture, packing, canning, selling or distributing is conducted. The floors of such toilet rooms shall be of cement, tile, wood, brick or other non-absorbent material and shall be washed and scoured daily. Such toilet or toilets shall be furnished with separate ventilating flues or pipes, discharging into soil pipes, or on the outside of the building in which they are situated. Lavatories and wash-rooms shall be adjacent to the toilet rooms, and shall be supplied with soap, running water and towels and shall be maintained

in a sanitary condition. Operatives, employes, clerks and all persons who handle the material from which food is prepared, as the finished product, before beginning work, or after visiting toilet or toilets, shall wash their hands and arms thoroughly in clean water.

6. Cuspidors for the use of operatives, employes, clerks or other persons, shall be provided whenever necessary, and each cuspidor shall be thoroughly emptied and washed out daily with disinfectant solution, and five ounces of such solution shall be left in each cuspidor while it is in use. No operative, employe or other person shall expectorate on the floor or walls of any building, room, basement, or cellar where the production, manufacture, packing, storing, preparation or sale of any food is conducted.

7. No person or persons shall be allowed to live or sleep in any work-room of a bakery, kitchen, dining room, confectionery, creamery, cheese factory, or place where food is prepared for sale, served or sold.

8. No employer shall require, permit or suffer any person to work, nor shall any person work, in a building, room, basement, cellar or vehicle occupied or used for the production, preparation, manufacture, packing, storage, sale, distribution and transportation of food, who is affected with any venereal disease, smallpox, diphtheria, scarlet fever, yellow fever, tuberculosis or consumption, bubonic plague, Asiatic cholera, leprosy, trachoma, typhoid fever, epidemic dysentery, measles, mumps, German measles, whooping-cough, chicken-pox, or other infectious or contagious disease.

9. The Health Officer of the City of Lexington, or other agents of the Board of Commissioners, shall have full power at all times to enter every building, room, basement, or cellar occupied or used or suspected of being occupied or used for the production for sale, manufacture for sale, storage, sale distribution or transportation of food, and to inspect the premises and all utensils, fixtures, furniture and machinery used as aforesaid, and if upon inspection any food producing or distributing establishment, conveyance, employer, operative, employe, clerk, driver, or other person is found to be violating any of the provision of this section, or if the production, preparation, manufacture, packing, storing, sale, distribution or transportation of food is being conducted in a manner detrimental to the health of the employes and operatives, or to the character or quality of the food therein produced, manufactured, packed, stored, sold, distributed or conveyed, the Health Officer or the inspector making the examination or inspection shall furnish evidence of said violation to the City Attorney, who shall prosecute all persons violating any of the provisions of this section; provided, however, that as a constructive administrative means, under this section, and for such purpose only, the Health Officer may issue a notice to the person or persons in authority at the aforesaid establishment to abate the condition, or to make such improvements as may be necessary to abate it, within a period of such reasonable time as the Health Officer may direct. Such notice shall be in writing, and the person receiving the notice may, within five (5) days from the issuance of the notice, appear in person or by attorney, before the Health Officer and the Mayor of Lexington, to give reason why such notice or instructions shall not be obeyed.

10. Any and all places producing, handling, transporting food for sale in the city of Lexington, whether located in the city or not, shall, as a requisite for the sale of food in the city of Lexington, be open to inspection as provided in this section. And any person who shall offer for sale in the city of Lexington, and concerning which sanitary inspection has been denied, as provided in this section, shall, upon conviction, be subject to the penalties provided for violations of provisions of this section.

11. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than ten dollars (\$10.00), nor more than one hundred dollars (\$100.00), or be imprisoned not to exceed fifty (50) days, or both such fine and imprisonment.

Sec. 29. Cold Storage. 1. All cold storage meats, eggs, poultry, fish, ice cream, and other cold storage animal products shall be plainly labeled or branded to show the facts of cold storage to the consuming public. The term "cold storage" shall be construed to mean the storing and preservation of food products by cold. Except, however, such labeling and branding shall not be necessary where the ice or refrigeration is incident to the preservation of the fresh, unstored product from the producer to the consumer, and without unnecessary delay.

2. No retailer shall handle cold storage products, or other products required to be preserved with ice, without efficient icing arrangements or refrigeration therefor. All such products shall not be exposed to warm temperature, and shall be handled as otherwise specified in the sanitary provisions of the health code of the city of Lexington, and the laws of the state.

3. No product shall be served or sold in the city of Lexington which has been once removed from cold storage and exposed in the retail markets for sale, and sent back into cold storage; this to include turkeys, chickens, and similar products which are taken out, for example, for the Thanksgiving and other markets, and exposed in the retail market, and which, not being sold, are returned to storage, for the Christmas or other markets. Cold storage foods shall be delivered direct from cold storage, through proper facilities and sanitary conditions in the retail market, to the consuming public, and the sale of any such product which has been subjected to any condition which would render it contaminated, unwholesome, or unfit for food, shall be prohibited.

4. The signs and labeling, as specified herein, shall obtain with respect to products coming into Lexington, between the producer or packer and the wholesale trade, between the wholesale trade and the retail trade, and between the retail trade and the general public. Restaurants and hotels supplying such stored products shall display signs on the menu, or otherwise, to that effect. No product shall be sold as "fresh," "strictly fresh," "from the country," or by similar description, which is a stored product, or which is not as represented; nor, on the other hand, shall any product be sold as a cold storage which such is not the case, or which has been so exposed or kept as to deteriorate in quality after leaving cold storage, but shall have such additional facts stated on the signs and labeling in the manner as may be directed by the Board of Health.

5. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars, or be imprisoned not to exceed fifty (50) days, or both such fine and imprisonment.

Sec. 30. Adulterated Food. 1. Whenever the Health Officer, or any of his employes, shall find any article of milk, meat, or other food which is adulterated within the meaning of this ordinance, or any article or substance which is detrimental to public health, such article shall be tagged or otherwise properly marked, giving notice that the product is suspected of being adulterated or detrimental to public health, and warning all persons not to remove the same until given permission by the Health Officer or the courts, and it shall be unlawful for any person or persons, firm or corporation to remove or otherwise dispose of same in violation of this section, and any person or persons, firm or corporation doing so shall be fined not less than ten (\$10.00) dollars, nor more than fifty

(\$50.00) dollars, or be imprisoned not to exceed fifty (50) days, or both such fine and imprisonment.

2. Such tag or notice shall give notice that the article has been quarantined. The Health Officer or his employes shall then petition the Judge of the Police Court for the condemnation and destruction of any such product. The owners or defenders of any such product or property shall be given the right to a hearing, first before the Health Officer, if they so desire, and before the court. The notice of a hearing to be before the Health Officer shall also state the length of time within which such hearing may be had.

3. In case the finding of the court is with the Health Officer, the article shall be destroyed by the Health Department, at the expense of the owner of the property under the supervision of the Health Department, and in such case all other costs shall be taxed against the owners or defenders of the property, if such appear, or shall be collected, if no one appear, against the owner or agent properly ascertained.

Sec. 31. **Permit to Sell Food.** No person shall bring any fresh meat, poultry, fish, ice cream, or other fresh meat and meat product into the city of Lexington for sale without a permit so to do from the Health Officer; and no person shall operate any place where fresh meat, poultry, fish, ice cream, or other fresh meat or meat product is produced, prepared, kept, offered for sale, or sold in the City of Lexington, or any soda fountain, pop, or other bottling factory, or other place where foods are produced, prepared, stored, kept or offered for sale, except foods which, from their method of packing, and by reason of handling in original packages, are not subject to contamination, without a permit so to do from the Health Officer. Such permit shall be issued annually by the Health Officer, free of charge, subject to the approval of the Board of Health and the Board of Commissioners, and only upon the Health Officer and the Board of Commissioners being satisfied that the place where any such products are being produced, prepared, stored, kept, or offered for sale, is operated and maintained in a condition as provided for in other provisions of this ordinance, and that such place has the equipment and method necessary for the maintenance of sanitary conditions throughout. And whenever, such sanitary conditions as provided in this ordinance, shall be found not to exist, such permit shall be revoked, provided, however, that before the revokal of such permit the party or parties at interest shall be given a notice of the conditions complained of, together with statement of a time within which the conditions shall be corrected, and if, after such notice, conditions are not corrected, then shall the permit be revoked, but the party or parties at interest shall have the right to appeal to the Board of Health, the Board of Commissioners and to the courts. Such permit shall be renewed annually on the first day of April to be valid, and the payment of any license fee to the city of Lexington shall not entitle the holder of such license to operate any business for which a sanitary permit is required in this ordinance, unless such party or parties also comply with the conditions necessary for the sanitary permit. Any person or persons bringing for sale in the City of Lexington, or selling any such products as mentioned in this section without a permit so to do, or after such permit shall have been revoked, shall, upon conviction, be fined not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars for each offense, and each day's time shall constitute a separate offense.

Sec. 32. **Inspection of Slaughter Houses and Animals for Slaughter.** The Health Officer and the meat and milk inspector, acting under his direction, in addition to the inspections provided for in this ordinance, shall inspect all slaughter-houses, slaughtering meat for sale in the City of Lexington. And,

until the city provides, by a municipal abattoir, or other means, for meat inspection, shall as far as possible, inspect all animals intended for slaughter and for sale in the City of Lexington, and carcasses of same, and all meats sold in the City of Lexington, under the meat inspection rules and regulations as adopted under the law by the State Board of Health, and the Director of the Kentucky Agricultural Experiment Station, with respect to such inspections and the provisions of this ordinance applying.

Sec. 33. **Samples for Examination.** Dairymen and other food dealers, on being tendered the market price, shall deliver to the Health Officer or other authorized agents of the City of Lexington, a sufficient sample of food for examination under this ordinance. Such Health Officer, or other authorized agents, shall take, or know that there has been taken, a sample which is representative of the food as actually sold on the market. No dairyman or other food dealer shall treat or in any way tamper with a sample of food delivered to such Health Officer, or agents, or in any way provide a sample of milk or other food so treated or tampered with as to have the examination and analysis not show the actual condition of the product as sold in the market. The work of inspection and examination under this ordinance shall, in no way, be employed so as to give special advantage to any individual or any firm, in the sale of foods. The inspectors, bacteriologists, chemists and others operating under this ordinance shall, as far as possible, help any dairyman or other food dealer in locating the cause of trouble but any such help or assistance shall not be used for private advertisement, except in cases where the certificate of the Health Officer is required to certify that a product or a process is clean and wholesome. All such help or assistance given one individual or firm shall, likewise, be at the service of all individuals or firms.

Sec. 34. Any person violating any part of this section, shall upon conviction, be fined not less than fifty (\$50.00) dollars, nor more than one hundred (\$100.00) dollars; and in the case of dairyman or food dealer, in addition to such fine, he shall be refused a permit to do business in the City of Lexington; and in the case of an employe or agent of the City of Lexington, in addition to such fine, he shall be discharged from such agency or employment.

Sec. 35. The word "person" as used anywhere in this ordinance (Sections 14 to 34) shall be construed to mean any person, persons, firm or corporation, who shall commit, or be responsible for the committing, of any acts which are made unlawful herein.

CHAPTER 3.

BUILDINGS—PRIVATE BUILDINGS.

Sec. 36. **Permits.** Hereafter no building or improvement shall be erected nor any improvement be made on any building already erected, nor shall any excavations of any nature whatsoever be made in the streets, sidewalks or alleys within the limits of the City of Lexington until the person or persons desiring to erect or improve said buildings or to make such excavation in the streets, sidewalks or alleys shall have first obtained from the Superintendent of Public Works written permission to erect or improve said buildings or to excavate said streets, sidewalks or alleys, and until said written permission shall have been endorsed by the Mayor of the City of Lexington and the City Engineer. (But See Sec. 56.)

Sec. 37. **Bonds.** No building shall be erected nor improvement made nor shall any excavations be made in the streets, sidewalks, or alleys until the person or persons, firms or corporation desiring to engage in said work shall have first executed to the City of Lexington, a bond with good and sufficient surety, to be approved by the Mayor, that said person or persons, firm or corporation shall indemnify the City of Lexington, against any and all damages that may result to either person or property during the progress of said work; and said bond shall contain the further stipulation that in the event the City of Lexington be made a party defendant on account of any damages resulting to either person or property that said person or persons, firm, association, company or corporation shall agree to be made a party defendant to said suit and to defend the City of Lexington against any and all damages that may result. And further contain the stipulation that in the event that judgment be rendered against said City for damages resulting from the negligence of said person or persons, or their agents or employees, that they shall pay the damages and court costs resulting from said negligence.

Sec. 38. **Encroachment on Street.** It shall be the duty of the City Engineer upon a notice of the Superintendent of Public Works, to visit the location and to take notice that the said contemplated building shall not encroach upon any of the streets of the City.

Sec. 39. **Encroachment on Sidewalk.** It shall be unlawful hereafter to erect any buildings with windows or steps extending over, on or out upon the sidewalk or to construct steps leading into a cellar or basement on any part of the sidewalk between the property line thereof and the curb, or to construct or to permit any other constructions on or in said sidewalks. The heights of steps now reaching out upon said sidewalks from houses built on the line thereof and facing the house shall not be increased by additional steps, encroaching still further on the sidewalks, but where, by reason of lowering the grade of any sidewalk, additional steps become necessary, all of the steps shall be turned sideways, so as to be at right angles with the walls of said house in place of parallel with and facing same, and, then, provided such a step at right angles with the walls shall not increase its extension upon the side pavement, nor shall such steps, when changed in accordance with this, take up more than five feet of the sidewalk from the building. Any person failing to comply with the provisions of this section shall be subject to a fine of five (\$5.00) dollars, and every day that such windows, steps or other obstructions shall remain contrary to these provisions named herein, shall be considered a separate offense.

Sec. 40. The Superintendent of Public Works shall issue no permit for the erection of any building which in his judgment will seriously endanger adjacent property, or which, from the plans and specifications furnished would, in his opinion, be unsafe for occupancy after the same was erected.

Sec. 41. Any violation of the provisions of any of the foregoing sections shall be punished by a fine of not less than five (\$5.00) dollars nor more than fifty (\$50.00) dollars, and where said violations are continuous, each day shall constitute a separate offense.

Sec. 42. **Unsafe Buildings.** Whenever, in the opinion of the Superintendent of Public Works, any building or superstructure of any kind, or the walls or any part thereof, shall become dangerous to the occupants of said buildings or superstructure, or to those passing or repassing the same, he shall notify the owner of said building or superstructure or the person in charge, to at once repair or tear down the same, as, in his opinion, may be necessary to avert or remove said danger. And if said order be not at once complied with, he shall notify the City Attorney, in writing, of the facts in the case, whereupon it shall be the duty of the City Attorney to file an information to the police on behalf of the City against the owners or occupants of such building, in which information the dangerous condition of the building shall be stated, and upon a summons being duly served upon the occupants and such of the owners as reside in this State to answer such information a jury shall be empanelled in said court to decide whether the building is in danger of falling, and whether, in falling, persons passing be endangered thereby; and if the jury so find, judgment shall be entered that the said building be pulled down, and a copy of said judgment, delivered to the Chief of Police, who shall be authorized and required to execute said judgment.

If the owners do not pull down the building in pursuance of said judgment, but the same is pulled down by the Chief of Police, he shall proceed to sell the material of said building at public auction in the same manner as goods taken under execution, and return the proceeds of sale to the Police Court, together with the amount of his expenses in executing the judgment, and the court shall thereupon make to him an allowance for all expenses in executing the judgment out of the proceeds of the sale and cause the balance to be either paid to the owner or deposited to the credit of such in some bank in the City of Lexington.

Where the owners are non-residents or infants and do not appear, the court shall appoint an attorney to defend them and attend to their interests, and an allowance shall be made to such attorney out of the proceeds of the sale.

Sec. 43. **Fires—Investigation Of.** The Chief of the Fire Department is invested with the power, and the duty is imposed upon him, to be present at all fires, investigate the cause thereof, examine witnesses and papers for the purpose of said investigation, compel the appearance and production of witnesses and papers, and do and perform all such other acts as may be necessary to the effective discharge of such duties, and is empowered to administer oaths, make arrests, issue process and enter any building for the purpose of examination, and when, in his opinion, there is danger of fire in any building, to enter for the purpose of examination.

Sec. 44. Any person interfering with or resisting the Chief of the Fire Department in the discharge of the duties of his office shall, upon conviction be-

fore the court, be fined in any sum not less than ten (\$10.00) dollars nor more than fifty (\$50.00) dollars.

Sec. 45. It shall be the duty of the Chief of the Fire Department to cause to be rigidly enforced the Provisions of the General Statutes of Kentucky in reference to fire escapes.

Sec. 46. **Renumbering Houses.** Whenever, in the opinion of the Superintendent of Public Works, it shall become necessary or advisable to re-number the houses on any street, or to have them numbered on any street newly laid out, he shall make a list of all the houses on said street and designate the numbers for all said houses. He must thereupon notify the owners, or occupants, if the owner be a non-resident thereof, to have numbers displayed on said houses. He shall have power to require the owner or occupant of any house in the City of Lexington from which the number has been displayed or removed to cause the same to be re-placed. Any owner or occupant of a house who, being notified by the Superintendent of Public Works to put a number on a house and who shall fail to do so within five (5) days, shall be subject to a fine of three (\$3.00) dollars for each day thereafter, for failing to obey the order of said Superintendent of Public Works.

Sec. 47. Any person who shall unlawfully deface or remove any number put upon a house by lawful authority shall be fined three (\$3.00) dollars for each offense.

Sec. 48. All houses in the city of Lexington shall be numbered at the expense of the owners or occupants thereof by metal plates or painting or emblazoning on the glass of the front door. When vacant ground occurs in a block, the proper allowance of twenty-five feet for numbers shall be made for such vacant space. The houses on Main street and all parallel therewith shall be numbered east and west from Limestone street and the houses on Limestone street and all streets parallel therewith shall be numbered north and south from Main street, and all shall be so numbered that the even numbers shall be all on the south and east sides of the street and the odd or uneven numbers shall be on the north or west side of the street.

Sec. 49. **Stables.** No building to be used for stables shall be erected and maintained within fifty (50) feet of any permanent improvement already erected unless the agent or owner contemplating the erection of said building shall have first obtained permission in writing of all parties owning permanent structures within a radius of fifty (50) feet from the location of such building. A violation of this section shall be punishable by fine of not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars. And each and every day that any building shall exist or be in process of construction in violation of this section shall constitute a separate offense.

Sec. 50. The Mayor, (now Commissioner of Public Property) shall keep all buildings and other property belonging to the city insured in some responsible company, and the Auditor is required to preserve a record of the same in a book to be kept for that purpose, showing the location of each building or piece of property, to whom rented, term and rate and the company in which, and the amount for which insured, and the time when said insurance expires.

Sec. 51. **Additional Duties of the Commissioner of Public Works.** The Commissioner of Public Works, is hereby made ex-officio Building Inspector of the City of Lexington, Kentucky, and as such he shall perform the duties hereinafter set out.

Sec. 52. **Powers.** Said Building Inspector or assistant shall have the management and control of all the matters and things pertaining to the duties of Building Inspector. Said inspector shall be a competent inspector of all branches of the building trade.

Sec. 53. Said Building Inspector shall perform and discharge such duties and powers as may from time to time be imposed and conferred upon him by the Ordinances of the City of Lexington, Ky., or by the requirements of the Commissioners thereof.

Sec. 54. **Fire Limits.** All of the portion of the City of Lexington embraced in the following described limits shall be known and designated as the fire limits: Beginning at the intersection of Water and Rose Street; thence east with the C. & O. railroad tracks to a point on a line with the south side of Short Street, if extended; thence west with Short Street to Deweese Street; thence north on Deweese Street to Third Street; thence west with Third Street to Georgetown Street; thence south with Georgetown Street to Main Street; thence east on Main Street to Merino Street; thence south on Merino Street to Maxwell Street; thence east on Maxwell Street to Patterson Street; thence south on Patterson Street to the Q. & C. railroad tracks; thence southeast with the Q. & C. railroad tracks to South Broadway; thence north on South Broadway to Scott Avenue; thence east on Scott Avenue to South Limestone Street; thence north on South Limestone Street to Maxwell Street; thence east on Maxwell Street to Rose Street; thence north on Rose Street to the beginning.

Sec. 55. **Ordinance to be Printed.** The Commissioners shall have one thousand (1,000) copies of this ordinance printed in pamphlet form, same to be kept for distribution by the Commissioner of Public Works.

Sec. 56. **Permits Required.** No person, firm or corporation shall begin or continue the erection, alteration, repair or removal of any building or structure within the corporate limits of the City of Lexington, Ky., without first having applied for and obtained a permit to do so from the Building Inspector.

Sec. 57. **To Comply With Ordinance Before Issuing Permit.** If the matter mentioned in the application for a permit, or the plans and specifications filed with the same, indicate to the Building Inspector that the work to be done is not in all respects in accordance with the provision of the city ordinances, he shall refuse to issue a permit therefor until the same has been made to comply when he shall issue the permit.

Sec. 58. **To Approve Plans For—State Reason.** The Building Inspector shall, within three (3) days after the filing of plans, specifications and statement, approve the same or indicate in writing the alterations to be made to comply with the City Ordinances.

Sec. 59. **Notice of Proposed Change of Plans.** If, during the progress of the work upon any structure, it is desired to deviate in any manner from the plans and specifications upon which the permit was issued, notice of such proposed change must be filed in the Building Inspector's office, and his written permit obtained therefor before such alterations are made. It shall be unlawful to erase, alter or modify any line, figure or coloring contained upon such drawings and specifications upon which the Building Inspector has issued a permit and placed the official seal of his office.

Sec. 60. **Inspect Buildings.—When.** The Building Inspector may, as far as necessary for the performance of his duties, enter any building or premises within the corporate limit of the City of Lexington, and proper and safe facilities for inspection shall be furnished.

Sec. 61. To Notify Inspector—When. No building, partition or structure shall be covered by lathing, plastering, sheathing or otherwise, until the Building Inspector has been notified, and, by examination, ascertain whether the said building, partition or structure has been built in compliance with the provisions of this ordinance; and if so he shall issue certificates to the effect that the said building, partition or structure has been built in compliance with the provisions of this ordinance. Said inspection shall be made within two (2) days after said notice in order to avoid delay.

Sec. 62. Obstruction of Streets. Building permits shall not permit the use of any street or walk or any part thereof other than immediately in front of the lots upon which the building is being erected, and then only to the extent of not exceeding one-third (1-3) of the street from the curb line, except that additional street space may be used with the consent of the occupants of adjoining property. When there are car tracks in the street all obstruction shall be kept back six (6) feet from the nearest rail.

Sec. 63. No Obstruction Near Fire Plug. No obstruction of any kind shall be placed within five (5) feet of any fire plug or fire system and there shall, at all times, be maintained a free passage to same. When building materials are placed in public alleys, sufficient unobstructed space shall be left open and free at all times for the free passage of fire apparatus and vehicles.

Sec. 64. Red Lights at Obstructions on Streets. Red lights shall be maintained from sunset to sunrise of each day at both ends of every obstruction upon any street or alley, and at intervals of seventy-five (75) feet along the same.

Sec. 65. Cornices. Cornices or other projections of stone or other heavy material shall in all cases have sixty-five (65) per cent of the weight of the same inside of the outer face of the wall or shall be securely anchored so that the cornice shall be firmly balanced upon the wall. Cornice may be constructed of hollow metal with supports of metal or wood, but if wood supports the same, must be cut off from building by at least four (4) inches of brick or other non-combustible material and securely anchored to building with iron anchors, and no cornice shall be continuous with that of adjoining building.

Sec. 66. Construction of Buildings Within the Fire Limit. No tent, building or structure having frame or wood, part frame, hollow concrete block, ironclad or veneered walls, shall be hereafter erected within, moved into or within the fire limit as above described, or as from time to time may hereafter be established, except as provided in this ordinance.

Sec. 67. Temporary one-story frame buildings may be erected for the use of builders within the limit of lots whereon buildings are in course of construction, or on adjoining vacant lots, upon permits issued by the Building Inspector. No such building shall be allowed to remain for more than ninety (90) days (except that in case of unusually large construction operation the permit may be renewed at the discretion of the Building Inspector not more than four times), nor to exceed one thousand (1,000) square feet area.

Sec. 68. Frame sheds not over ten (10) feet high, opening on at least one side, with sides and roof covered with non-combustible material, may be built, but a fence shall not be used as a side or back therefor. Such sheds shall not cover an area exceeding five hundred (500) square feet and shall be located not less than thirty (30) feet from any residence, store or main building.

Sec. 69. Frame outhouses not exceeding one hundred (100) square feet area and ten (10) feet in height and with non-combustible roof, located thirty (30) feet from any residence, store or main building, may be constructed within the said fire limit.

Sec. 70. No shingle or unapproved composition roof, wooden awning or other addition or attachment of combustible material, except rear platform on ground floor, without roof or sides, shall be placed upon any building within said fire limit.

Sec. 71. Every building of such construction as herein prohibited, within the fire limits, which may hereafter be damaged to an amount not greater than one-half ($\frac{1}{2}$) of the value thereof, exclusive of the valuation of foundation at the time of such damage, may be repaired or rebuilt; but if such damage shall amount to more than one-half ($\frac{1}{2}$) the value thereof, exclusive of the value of the foundation, then such building shall not be repaired or rebuilt, but shall be removed. A shingle or unapproved composition roof damaged to extent of more than one-half ($\frac{1}{2}$) its area shall not be repaired, but shall be removed and replaced or covered by a non-combustible roof.

Sec. 72. In case the owner of the damaged building shall be dissatisfied with the decision of the Building Inspector that such building is damaged to a greater extent than one-half ($\frac{1}{2}$) of its value, exclusive of value of the foundation, then the amount and extent of such damage shall be determined upon an examination of the building by a committee of three (3) competent persons, one of whom shall be appointed by the Board of Commissioners, another of whom shall be appointed by the owner or owners of said premises, and another of whom shall be appointed by the two so selected, and a decision of a majority of the committee, reduced to writing and sworn to shall be conclusive.

Sec. 73. **Flues.** Within the fire limit all flues to have their walls at least eight (8) inches thick and lined twelve (12) inches above roof with tile or cast iron flue lining approved by the Building Inspector. All flues outside of the fire limit to have their walls not less than eight (8) inches thick throughout the entire height of same and plastered on inside, unless same are lined their entire height with tile or cast iron flue lining, in which case the walls outside the lining may be reduced to four (4) inches; the flues with four (4) inch walls lined with tile or cast iron flue lining shall not be used in buildings exceeding two stories in height. All flues for furnaces to be lined with tile or cast iron flue lining to twelve (12) inches above roof. No flue shall be corbeled from any wall more than one-half the thickness of the wall, nor shall any chimney or flue rest upon any wood construction. No chimney shall be drawn to one side more than one-third ($\frac{1}{3}$) of its size, unless supported on metal or non-combustible framework approved by the Building Inspector. In no case shall any flue or chimney be supported by wood or frame construction. All flues and party walls must be located at least four (4) inches from the center line of said wall. Flues cut into existing party walls must be kept at least four (4) inches from the center line of such walls, and be well bonded and anchored into the old wall.

Sec. 74. **Height of Chimneys or Flues.** All chimneys or flues shall be built to a height of not less than four (4) feet above the roof adjoining, if such roof is flat; and not less than eighteen (18) inches above the ridge, if the roof is of pitch construction and the chimney is within ten (10) feet of the ridge. All chimneys or flues rising more than eight (8) times their least horizontal dimensions shall be securely braced with iron anchors. When the short side of the flues have nine (9) inch walls they may rise eight (8) times their least side without bracing. All chimney tops from ceiling joists up shall be laid in cement mortar.

Sec. 75. **Unsafe Chimneys or Flues.** All unsafe chimneys or flues must be made safe within ten (10) days after notice from the Building Inspector, and not used until repaired.

Sec. 76. **Fire Places.** No fire place shall be built with less than nine (9) inch brick wall at the back; except when firebacks are used, in which case four (4) inch walls may be permitted. All fire place breasts are to be built full dimensions up to the top of ceiling joists. No flue stem from any fire place shall start below ceilings.

Sec. 77. **Hearths.** Brick, tile or trimmer arches shall be turned for all hearths. All brick or trimmer arches shall not be less than four (4) inches thick, started from proper skew-backs, to have wood centering removed before plastering the ceiling underneath. Concrete filling to be used over all trimmer arches and to be leveled up for hearth. Headers for hearth to be not less than twenty (20) inches wide. The use of sand boxes underneath hearths is not permitted.

Sec. 78. **Smoke Pipes.** It shall be unlawful for any person or persons to erect or use in or on any building within the corporate limits, any tile, terra cotta, hollow cement block, brick-on-edge or metal chimney. It shall be unlawful to erect or maintain or have in use any chimney, smoke stack or other structure for the escape of smoke, heat or gases in such a condition as to endanger property. All smoke stacks in connection with boilers shall have a clearance from all woodwork or other combustible material equal to one-half ($\frac{1}{2}$) the diameter of the stack with not less than eight (8) inches and not more than eighteen (18) inches clearance.

Sec. 79. **Walls.** All bearing walls within the fire limit shall be of the thickness set forth in the following table, exclusive of mortar:

One story	12					
Two story	12	12				
Three story	16	12	12			
Four story	16	16	12	12		
Five story	20	16	16	12	12	
Six story	24	16	16	12	12	12
Seven story	24	24	20	20	16	16

Stone walls to be at least four (4) inches thicker than the brick walls and no foundation shall be less than eighteen (18) inches thick; all footings shall be at least twelve (12) inches wider than the wall. Mortar to consist of Portland cement one (1) part, sand three (3) parts. The foundation for all buildings shall rest on natural earth, or solid rock.

Sec. 80. When outside wall is of pier construction the piers must be four (4) inches thicker than the average shown by the above table, the faces of piers to measure not less than one-fifth ($\frac{1}{5}$) as much as the spaces between centers; walls between piers must not be less than twelve (12) inches thick.

Sec. 81. When walls other than pier construction are braced by pilasters, if the wall itself between pilasters is used for floor or roof support, the wall between the pilasters must then conform with the figures as shown in table No. 1.

Sec. 82. The above figures pertaining to walls apply to all classes of buildings in the fire limit, with the exception of a building built for dwelling house purposes only and to be occupied by not more than one family. Dwelling houses occupied by one family only may have eight (8) inch walls when not more than one (1) story in height and if more than one (1) story in height the first floor walls should be twelve (12) inches thick and the second and third floors not less than eight (8) inches thick. Provided, the first and second story walls shall be stripped and furred if only eight (8) inches in thickness.

Sec. 83. **Parapets.** All buildings within the fire limit except dwelling houses occupied or to be occupied by one family shall have walls extending above

the roof on all sides, the same to be coped with stone, tile, cement or terra cotta; and the thickness of the walls shall not be less than twelve (12) inches, laid in cement mortar not less than one (1) to three (3). Height of all such walls to be thirty-six (36) inches on buildings four (4) stories or over, and eighteen (18) inches on buildings of three (3) stories or under. Openings for drainage through walls, if any, not to exceed four by eight (4x8) inches, nor more than one opening to each twenty-five (25) feet. Where frame or iron-clad roof houses or extensions are exposed a fender wall on exposed sides, of same thickness as wall above roof, should extend not less than eighteen (18) inches above the roof of and not less than five (5) feet beyond sides or ends of the roof houses or extensions.

Sec. 84. Wall Supports. No wall of brick, stone, terra cotta or concrete shall be supported in whole or in part by wooden posts or girders.

Sec. 85. Party Walls Heretofore Built. Walls heretofore built for and used as party walls whose thickness at the time of their erection was in accordance with the then existing laws may be used if in good condition, for the ordinary uses of party walls; provided, their height is not increased or the load placed thereon comes within the limit of safety.

Sec. 86. Openings in Party Walls. It shall be unlawful to cut or leave any opening in any division or party wall except as herein provided. All such openings to be approved by the Building Inspector and a permit issued therefor. Every opening left in or cut through a division wall or party wall shall be closed with a three-ply (3) wood core, metal covered door hung on each side of the wall with iron hangers, tracks to be bolted through the wall, closing devices to be automatic and no such opening shall exceed eighty (80) square feet area. All doors, etc., used to be approved by the Building Inspector.

Sec. 87. Recess for Pipes Cut Into Wall. No recess for pipes, ducts or other purposes shall be cut into any wall more than one-third (1-3) the thickness of the wall, and then only in vertical line, and no recessing or cutting shall be done in any eight (8) inch wall nor nearer than six (6) feet of any outer angle; horizontal recessing is unlawful.

Sec. 88. Receptacles for Ashes. All receptacles for ashes shall be built up on all sides, top and bottom, of brick, stone or concrete, with walls not less than eight (8) inches thick, with proper iron doors, the doors to be kept in repair and closed when not being used to empty ashes. No receptacles for ashes shall ever be allowed to overflow, or be so constructed that the ashes will be blown about by the wind. When ash cans are used they must have double bottoms with a space of at least two (2) inches between and the covers secured with iron hinges; the cans at all times to be in proper repair and the lid to be closed when not being filled or emptied. No ashes or combustible material shall be kept in any building or place within this city in an insecure manner.

Sec. 89. Skylights. Skylights within the fire limits shall be constructed wholly of non-combustible frames and glazed with approved wired glass, or heavy glass may be used in lieu of wired glass, provided a screen of not less than No. 12 gauge wire with one (1) inch mesh shall cover entire skylight and be raised six (6) inches above same on metal supports.

Sec. 90. Standpipes and Fire Escapes. Every new building over three (3) stories in height (dwellings excepted), shall have one or more metallic standpipe not less than two and one-half (2½) inches in internal diameter extending from above the roof on outside of building and arranged so that engine hose can be readily connected from the street or alley. Such standpipe shall have proper valve and hose coupling at each floor and also fire escape landing at each

floor above the first and all hose couplings shall conform to the size and pattern in use by the Lexington Fire Department.

Sec. 91. Application for Moving Building. All applications for moving buildings through the streets of the city shall be made to the Building Inspector. Every such application shall state the location of the building to be moved, its length, width, height and the principal material of its exterior sides and of its roof, and shall definitely describe the route over which it is to be moved and the length of time that will be required to move it.

Sec. 92. Ventilation of Attic or Roof Spaces. The space between all ceiling joists and roof timbers shall be properly ventilated in all buildings. If possible, the ventilators shall be so located that a fire in adjacent property would not be likely to be communicated through same, and all ventilators shall be of such size and construction to prevent the entrance of birds through same or they shall be covered with a wire screen having not more than a quarter-inch mesh.

Sec. 93. Wiring. All electric wiring and appliances hereinafter installed in or attached to any building or structure within the corporate limits of the City of Lexington shall be installed in accordance with the rules, regulations and requirements of the National Electric Code. Any and all electric wiring hereafter installed in any building or structure, other than in a one or two-family private dwelling, within the fire limits, shall, if such wiring is to carry a current of exceeding 50 volts, be installed in iron conduit metal moulding or armored cable, installed in such a manner as to comply with the requirements of the above mentioned code. All flexible cords used in connection with iron conduit, metal moulding or armored cable wiring shall be approved portable cords. It shall be unlawful for any person to conceal electric wiring until after such wiring shall have been inspected by an authorized inspector, and a certificate of approval and acceptance issued. It shall be unlawful for any electric light or power company to connect with, or furnish current to any electrical installation within the corporate limits of this city until after such electrical installation shall have been inspected by an authorized inspector, and a certificate of approval and acceptance issued.

Sec. 94. No joist, beam or any floor timbers shall be cut into, and no piping or conduit shall be laid in same at a greater distance than two (2) feet from the ends of the beams, nor at a greater depth than one-sixth (1-6) of the depth of the beam or floor timbers. This section shall not be held to prohibit the boring of holes in beams or floor timbers provided the same shall be located three (3) inches or more from the top or bottom of the joists and also provided that the diameter of any hole so bored shall be large enough to weaken the joists or floor timbers.

Sec. 95. Connecting Gas Heaters. All stoves or other gas heating or lighting devices must be connected with metal pipes made of good material and free from any defects. It shall be unlawful for any person or persons to install or use in any building within the corporate limits stoves or other gas heating or lighting devices connected with what is known as rubber tubing.

Sec. 96. Rubbish. Loose rubbish, hay or straw shall not be piled or stacked in any lot within the fire limit, or kept in any place outside of proper building to enclose the same.

Sec. 97. Oils or Explosives. Inflammable oils or explosives shall never be placed or stored near any stairway or exit from any building so as to render the exits dangerous in case of fire or accidents.

Sec. 98. **Kitchen Ranges.** Where a kitchen range is placed less than eighteen (18) inches from a wood stud partition, the same partition shall be shielded with metal from the floor to a height not less than two (2) feet higher than the range. If the range is within six (6) inches of the partition, then the stud shall be cut away and framed three (3) feet higher and one foot wider than the range and filled in to the face of the said stud partition with brick or fireproof blocks and plastered thereon. All ranges not supported on legs, set on wood or combustible floors and beams, shall have suitable brick or hollow tile foundations laid in mortar or galvanized sheet iron, except ranges in private dwellings.

Sec. 99. The owner or owners of any building, structure, or part thereof, or of any of the several features governed by this ordinance (No. 515) and any architect, contractor or builder, who is employed or assists in the commission of any act wherein a violation of this ordinance exists, shall, for each and every violation and non-compliance be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five (\$5.00) dollars nor more than twenty-five (\$25.00) dollars. And for each ten (10) days said building or structure which has been placed in violation of this ordinance shall so remain, it shall be deemed a separate and distinct offense.

Sec. 100. All ordinances or parts of ordinances in conflict with the foregoing (49 sections) are hereby repealed.

CHAPTER 3, ARTICLE 2.

BUILDINGS—PUBLIC BUILDINGS.

Sec. 101. **Inspection of Buildings.** The Board of Public Works is authorized and directed to inspect or cause to be inspected all public school buildings, public halls, churches, theatres, auditoriums, skating rinks, amphitheaters of all kinds and any other buildings of a public character, used or intended to be used for large assemblages or gatherings of people; also all hotels, apartment houses and buildings used for manufacturing or commercial purposes and all other buildings of whatsoever nature, except private dwelling houses, for the purpose of ascertaining the safety of such buildings or structures in case of fire or other accidents and to ascertain the sufficiency and adequacy of the doors, passage-ways, aisles, stairways, corridors and exits and other facilities for egress in case of fire or other accidents, and to determine whether the construction of such buildings and the facilities for egress from such buildings or structures are in accordance with the ordinances of the City of Lexington relating thereto; and if the construction of such buildings or the facilities for egress therefrom be found to be in violation of any ordinance of the City of Lexington relating thereto, the said Board of Public Works or its chairman shall cause warrants to be issued against the person or persons guilty of such violation of the city ordinances.

Sec. 102. Any person, firm or corporation refusing to allow the Board of Public Works or any one acting for said Board and under its authority, to make an inspection of any building or structure, as provided in the preceeding section, shall be fined not less than ten (\$10) dollars, nor more than one hundred (\$100) dollars for each offense.

Sec. 103. In all theatres, public halls, churches and other buildings used, or intended to be used for purposes of public assembly, amusement or instruction, except moving picture shows, the doors, stairways, seats, passageways and aisles shall be arranged to facilitate egress in cases of fire or accident, and to afford the requisite and proper accomodation for the public protection in such cases.

Sec. 104. All aisles, steps and passageways in said buildings shall be kept free from camp stools, chairs, sofas and other obstructions, and no person other than an employe or policeman or fireman shall be allowed to stand in or occupy any of said aisles or steps during any performances, service, exhibition, lecture, concert, ball or any other public assemblage.

Sec. 105. **Entrances and Exits.** Every building mentioned in Section 103 shall have at least one (1) front on a street which street shall be not less than thirty (30) feet in width, and in such front there shall be suitable means of entrance and exits for the audience. The stage shall be at the end of the building opposite the main entrance.

Sec. 106. **Width of Main Corridor.** The width of this main entrance or corridor leading from the street to the main auditorium shall be not less at any point than fifteen (15) feet. The width of the main entrance or corridor shall be estimated on a basis of not less than twenty (20) inches for each one hundred (100) persons for whom seats are provided and who may gain access to the corridor as a means of entrance or exit. The main corridor may serve as a common place of entrance and exit for the main floor or auditorium and the balcony or first gallery, provided its capacity be equal to the aggregate capacity of the outlets from said main floor and balcony or gallery as provided for above in this section. The width of all entrances and exits for each distinct and sepa-

rate division of the auditorium shall be based upon the same estimate of not less than twenty (20) inches for each one hundred (100) persons served by such entrances or exits. In case the balcony or first gallery, in addition to the stairway or stairways connecting it with the main auditorium floor or main corridor, has an inside stairway or stairways leading direct to the street or public way, then the capacity of this stairway may be taken into consideration, in determining the width of the main corridor above the minimum width of fifteen (15) feet herein provided for.

Sec. 107. Emergency Exits. From the auditorium opening into a side street or public way, there shall be not less than two (2) exits in each tier from and including the ground floor and each and every gallery. Each exit shall be at least four (4) feet wide in the clear and provided with fire doors. All of said doors shall open outwardly and shall be arranged to open by a slight pressure from the inside without the unfastening of bolts or latches. No circular or winding stairs for the use of the public shall be permitted, either inside or outside the building.

Sec. 108. Inside Stairways. No theatre shall have more than three (3) floor tiers above the main floor of the auditorium. Distinct and separate places of entrance and exit shall be provided for each gallery above the first balcony or gallery, by means of inside stairways leading to the street or other public way and not through the main auditorium balcony. No passage leading to any stairway with an exit (not including fire exits) shall be less than four (4) feet in width. The width of all stairs shall be measured in the clear between hand rails. All stairs within the building hereafter shall be constructed of fire proof material throughout. Stairways from balcony or gallery shall not communicate with basement or cellar. No stairway from galleries shall be less than four (4) feet in width. When the seating capacity of the galleries is for more than one hundred (100) people there shall be at least two (2) stairs extending to the ground arranged on opposite sides of the galleries.

Sec. 109. Doors to Open Outwardly. All doors shall open outwardly as hereinafter provided in case of emergency exits. No door shall open immediately upon a flight of stairs, but in all cases, a landing at least the width of the door shall be provided. All stairs shall have treads of uniform width and risers of uniform height throughout in each flight. All enclosed staircases shall have on both sides strong hand rails firmly secured to the wall about three (3) inches therefrom and about three (3) feet above the stairs.

Sec. 110. Proscenium Walls. In buildings hereafter erected, a fire wall built of brick, or its equivalent not less than 13 inches in any portion of same, shall separate the auditorium from the stage and the same shall extend at least four (4) feet above the stage roof, or the auditorium roof, if the latter be the higher and shall be coped. Above the proscenium opening, there shall be an iron girder of sufficient strength to safely support the load above and the same shall be covered with fireproof material not less than four (4) inches in thickness.

Sec. 111. Curtain. The proscenium opening shall be provided with a fire proof metal curtain or a curtain of asbestos or other fire proof material, approved by the Chief of the Fire Department, overlapping the brick proscenium wall at each side, within iron grooves or channels to a depth of not less than twelve (12) inches. Said curtain to be hung or suspended by steel cables passing over wrought iron or steel sheaves supported by wrought iron brackets of sufficient strength and well braced. Said fire proof curtain shall be raised at the commencement of each performance and lowered at the close of each performance, and be operated by approved equipment for that purpose. The cur-

tain shall be placed nearest to the proscenium wall. No doorway or opening through the proscenium wall, from the auditorium, shall be allowed above the level of the first floor, and such first floor openings shall have self-closing standard fire doors at each side of the wall and openings, if any, below the stage shall each have a self-closing fire door and all of such doors shall be hung so as to be opened from either side of the wall at all times.

Sec. 112. **Windows.** None of the windows in outside walls shall have fixed sashes, fixed iron bars or grills; these may be arranged to hinge and lock, but must be left unlocked during performances.

Sec. 113. **Seats and Aisles.** All seats in the auditorium, excepting those contained in boxes shall be not less than twenty-eight (28) inches from back to back, measured in a horizontal direction, and firmly secured to the floor. No seat in the auditorium shall have more than six (6) seats intervening between it and aisles on either side. No stool or seat shall be placed in any aisle. All aisles on the respective floors in the auditorium having seats on one or both sides of same, shall be not less than a uniform width of three (3) feet. The provisions of this section to apply only to the buildings to be erected in the future.

Sec. 114. **Standpipes.** Standpipes of not less than two and one-half ($2\frac{1}{2}$) internal inches in diameter shall be provided, same to be supplied by a main not less than four (4) inches in diameter to be connected to the street main not less than six (6) inches and extended to the inside of the proscenium wall under the stage, where suitable fittings must be installed to allow a four (4) inch lead to either side of the building for standpipe service. All standpipes to be free from obstructions, said standpipes to be supplied with hose connections approved by the Board of Underwriters; the supply of water to be received from the city mains. Pipes shall be kept constantly filled with water under pressure and be ready for immediate use at all times. A sufficient quantity of approved hose not less than two and a half ($2\frac{1}{2}$) inches in diameter, in not less than 50-foot lengths, shall be fitted with washers and supplied with couplings and nozzle, the threads of which shall be uniform with that in use by the local Fire Department.

Sec. 115. **Lights.** Every portion of the building devoted to the uses or accomodation of the public, also all outlets leading to the streets and including the corridors, shall be well and properly lighted during every performance and same shall remain lighted until the entire audience has left the premises. There shall be one (1) light within a red globe or lantern placed over each exit opening on the auditorium side of the wall. Every exit shall have over the same on the inside the word "EXIT" in legible letters not less than four (4) inches high.

Sec. 116. Any person or persons, firm or corporation violating any of the terms or provisions of this ordinance, (Sec. 103 to 115), and such person, firm or corporation failing to conform to any of the provisions of this ordinance, (Sec. 103 to 115), shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars for each offense.

Sec. 117. **Moving Pictures.** Every theatre or room used for the purpose of operating a moving picture machine for the exhibition of moving pictures shall be on the ground floor of the building in which it is located and shall front on a public way. There shall be no connecting way or opening from said room to any other room or building and no other business shall be operated or conducted in such room. All exterior walls shall be of incombustible material.

Sec. 118. Every such room or theatre shall have two (2) exits in front and at least one (1) on the side or rear of not less than four (4) feet, or two (2) or more exits of not less than three (3) feet each. Each exit front doorway shall not be less than four (4) feet in width. All doors must open outwardly and shall not be locked or bolted while the room is opened to the public. Side or rear exits shall open direct into a street, alley or courtyard free from obstruction with direct access therefrom to a public way.

Sec. 119. No aisle shall be less than three (3) feet in width and must be kept clear of obstructions while performances are in progress. Seats shall be not less than thirty (30) inches from back to back and not less than eighteen (18) inches in width from center of the arms, and shall be firmly secured to the floor. No camp chairs or stools shall be used.

Sec. 120. In every such theatre there shall be placed three (3) chemical fire extinguishers of the type approved by the Board of Fire Underwriters, one to be placed in the operating booth, one near the curtain and one near the front or main entrance. These extinguishers to be of not less than six (6) gallons capacity each. All moving picture machines must be in a fire proof booth or compartment, and all machines, booths and all wiring shall be constructed in conformity with the rules and requirements of the National Electric Code.

Sec. 121. All moving picture theatres with seating capacity of five hundred (500) or more, shall conform to all requirements of theatres and shall be fireproof throughout.

Sec. 122. Any person, firm or corporation operating a moving picture machine for the exhibition of moving pictures to the public in any room or theatre that does not comply with the requirements of this ordinance shall be subject to a fine of ten (\$10.00) dollars for each offense.

CHAPTER 4, ARTICLE 1.

DOGS.

Sec. 123. **Dogs.** Each person owning, keeping or harboring a dog or bitch within the limits of the City of Lexington shall pay an annual license tax of one (\$1) dollar on each dog and five (\$5) dollars on each bitch, and same to be paid at the same time and in the same manner as other general city licenses. With each dog license issued by the City Clerk he will deliver to the licensee a metal tag, to be worn by the animal, which shall have the number of the license and the year for which it is issued stamped thereon. The Clerk will keep on file in his office a duplicate of each dog license issued by him, showing the name and street address of the owner or keeper of the dog, the sex, the kind of dog, and the number of the license tag. Any person who shall keep or harbor a dog or bitch without a license therefor as provided in this section, shall be fined five (\$5) dollars; provided that such person may surrender the animal to the dog empounder to be killed, in which event he shall not be subject to such fine.

Sec. 124. It shall be unlawful for any owner or keeper of a dog or bitch to permit the same to run at large on the streets of the City during the months of July, August and September of any year unless it is securely muzzled in such manner as to prevent it from biting persons or animals. If at any other period of the year the Mayor shall have cause to believe there is danger of hydrophobia, he may issue his proclamation requiring all persons owning, or having dogs, to confine them to their premises or to muzzle them for a prescribed time. Any person who shall permit any dog or bitch to run at large in violation of this section or in violation of such proclamation of the Mayor, shall be fined not less than one (\$1) dollar nor more than twenty-five (\$25) dollars for each offense.

Section 125. It shall be the duty of the pound-keeper and of every police officer of the city to take and empound, or cause to be taken and empounded, every dog or bitch running at large in violation of sections 123, 124 and 291 of this ordinance. Any citizen may take and empound at the City Pound any dog or bitch running at large within the City in violation of this ordinance, and the pound-keeper shall give such person a receipt therefor, and upon presentation of such receipt to the City Clerk the holder of same will be paid the sum of twenty-five (25) cents.

Sec. 126. Any owner or keeper of a dog, empounded for non-payment of the license tax may redeem the same from the City Pound, at any time within three (3) days after it is empounded, by paying to the City Treasurer the license tax thereon and a redemption fee of fifty (50) cents. Upon presentation to the pound-keeper of the license and the metal tag he will release the animal to the owner. In case a license tag is lost or stolen from a dog and the dog is empounded, the owner may redeem the dog by presenting his license to the pound-keeper, and the City Clerk will issue a new tag in place of the one lost or stolen. Any dog empounded under any provision of this ordinance, other than non-payment of the license tax thereon, may be redeemed from the pound in the manner provided in this section upon payment of a redemption fee of fifty (50) cents; provided, that no dog shall be released from the pound during the months of July, August or September, or during the time of the Mayor's proclamation requiring dogs to be confined or muzzled, unless such dog is securely muzzled as provided in this ordinance or is taken away under leash.

Sec. 127. Any dog or bitch which is not redeemed within three (3) days from the time it is empounded shall be killed in some humane manner by the pound-keeper; provided, however, that if any person shall offer to redeem such

animal he shall be allowed to do so at the end of said three (3) days in the same manner as provided with reference to the owner of the dog. The pound-keeper shall on the first and fifteenth days of each month make a written report to the City Clerk showing the number of animals killed at the pound and by what persons such animals were empounded.

Sec. 128. All moneys derived from license taxes on dogs and from fees paid for the redemption of dogs from the pound as provided in this ordinance shall be kept as a separate and distinct fund to be known as the "Dog Fund," and shall be applied to the expense of empounding and destroying dogs as provided in this ordinance.

Sec. 129. It shall be unlawful to entice a dog from a yard or enclosure of its owner or keeper, or to bring any dog into the city for the purpose of empounding the same, or to remove a muzzle or license tag from any dog without the consent of the owner or keeper thereof. Any person who shall violate this section shall be fined not less than one (\$1) dollar nor more than ten (\$10) dollars for each offense.

Sec. 129-A. It shall be unlawful for any person to keep or harbor within the city a dangerous or vicious dog unless it is at all times kept securely chained or enclosed in such manner that it can not escape from the owner's premises. Any person violating this section shall be fined not less than one (\$1) dollar nor more than twenty-five (\$25) dollars for each offense.

Sec. 129-B. All ordinances or parts of ordinances in conflict herewith and particularly sections 78 to 87 inclusive, and sections 252 and 253, of the 1910 Revised Ordinances of the City, are hereby repealed.

CHAPTER 5.

ELECTRIC WIRES.

Sec. 130. **Electric Wires.** At all points on the roadways, streets, and alleys of the City of Lexington, where telegraph, telephone and all other kinds of wires cross the lines of the Belt Electric Railway the companies or individuals owning, controlling or putting up such wires, shall make such crossing at an elevation above the trolley wire of said railway company, of not less than twelve (12) feet at any point, and at right angles to the line of the trolley wires, or at an angle not exceeding forty-five (45) degrees, upon the written consent of the Superintendent of Public Works, that the "stretches" at said crossings shall not be greater than the width of the street, and at said crossings, either of cable wires or insulated copper or steel wires not smaller than No. 14.

Sec. 131. Said companies or individuals shall use the best quality of sound straight poles, of sufficient size and length, to carry out the requirements of this ordinance, and poles of sixty (60) feet and over in length shall not be less than seven (7) inches in diameter at the small end; fifty (50) foot poles shall be not less than six (6) inches in diameter at the small end; and said poles shall be placed in the ground as follows: fifty (50) foot poles and over, six (6) feet; poles under fifty (50) feet, five (5) feet.

Sec. 132. All parties and companies using electrical wires for any purpose whatever, shall use a "cut-off fuse safety wire" in making connection with private property.

Sec. 133. The Belt Electric Street Railway and any other persons or companies putting up and operating trolley wires, or wires carrying heavy currents of electricity, when the same are not properly insulated, shall at all crossings made by other lines of electric wires, place guard wires of suitable material and strength to protect their trolley wires from contact with the falling wires of the telegraph, telephone or other wires passing over said trolley wires.

Sec. 134. All violations of the provisions of this ordinance shall be punished by a fine of not less than ten (\$10.00), nor more than fifty (\$50.00) dollars, and each day that said violation continues shall be a separate offense.

Sec. 135. All poles erected upon the streets, sidewalks, alleys or elsewhere in the City of Lexington, for the support of telegraph, telephone or electric wire, shall have placed upon the top thereof, by the erectors thereof, a cross bar or "T", for the exclusive use and control of the Fire Department of said city for the support of the fire alarm wires of said department. Said cross bar "T" shall be constructed and erected under the supervision and direction of the engineer of said Fire Department, who, with his assistants, shall adjust the fire alarm wires thereon, and shall have, at all times, access to said cross bar for the purpose of constructing, altering and repairing said wires.

Sec. 136. All consent hereafter given by the city authorities for the erection of any and all said poles shall be conditional upon compliance with the foregoing sections of this ordinance by the erector of said poles. Any person violating the provisions of this ordinance shall be fined not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars.

Sec. 137. It shall be unlawful for any person in any street, alley or sidewalk to erect or use within the City of Lexington any post or pole for the use of any telephone, telegraph or electric light company without first having obtained the permission of the Superintendent of Public Works to so erect and

use such poles, and any permission to so erect and use such posts and poles shall be void unless the place where such posts and poles are to be erected is designated in the order giving such permission. Any person erecting or using such posts or poles without having first obtained permission as aforesaid shall be fined ten (\$10.00) dollars for each offense, and each day during which any one of such posts or poles is erected or used shall be deemed a separate offense.

CHAPTER 6.

ICE.

Sec. 138. **Ice, Weighing Of.** It is hereby made the duty of each person, firm or corporation delivering ice by retail from wagons, trucks, cars, carts or other vehicles, to provide each wagon, truck car, cart or other vehicle, while being so used, with accurate weighing scales, of the type appropriate for the purpose of weighing ice, and the scales thus used shall, at all times be subject to test by the Board of Commissioners of the City of Lexington, or any member thereof, or other person designated by said Board for such purpose.

Sec. 139. It shall be the duty of any person, firm or corporation selling and delivering more than five pounds of ice as set out in section 1, upon request of any consumer or purchaser of ice, to weigh each quantity of ice of five (5) pounds or more so purchased, in the presence of the purchaser thereof, and no charge for such ice shall be made in excess of the actual weight thereof.

Sec. 140. Any person, firm or corporation who shall violate any provision of this ordinance, shall be fined, upon conviction in the Police Court, not less than one (\$1.00) dollar nor more than twenty-five (\$25.00) dollars for each offense, which punishment shall be imposed upon the driver or other person in actual charge of the wagon or other vehicle from which the ice is sold and delivered, or upon the person, firm or corporation owning or controlling and operating said wagon or other vehicle.

Chapter 7, Article 1.

LICENSES, OTHER THAN COFFEE HOUSES.

Sec. 141. General Provisions. The word "persons" as used in this section shall include persons, companies, firms, partnerships and corporations. The license year shall be from March 1st, of one year to March 1st, of the succeeding year and each and every person engaged in any trade, occupation, employment, business or profession, who shall be required by any ordinance of the City to pay a license tax therefor, shall pay the amount of said license tax to the City Treasurer on or before the first day of April of such license year, except as otherwise provided in this section. Upon presentation of the City Treasurer's receipt for the required sum to the City Clerk he will issue a license to the person applying for same, provided that said person shall have complied with the law regulating such license. All licenses shall have the year in which they are issued printed on the face of same in large figures and it shall be the duty of each person to whom a license is issued to keep the same posted in some conspicuous way in his place of business where the same will be at all times within the public view. A license so issued shall not authorize any person to do business other than the person to whom the same was issued unless properly transferred by the City Clerk at least three (3) months before said license expires. If two or more persons, engaged in carrying on a profession, compose a firm or partnership, each member of the firm or partnership shall pay the required license tax. Any person who shall begin to carry on any trade, occupation, employment, business or profession after the first day of May of any year, shall be required to pay only the proportionate part of the license tax required therefor from the time he commences to carry on the same until the first day of the next succeeding March; Provided, however, that no license shall be issued for a less period of time than three (3) months and the foregoing provisions with reference to the payment of a proportionate part of a license tax shall not apply to any temporary license by any ordinance of the City.

Sec. 142. Auctioneers. Every person selling at auction or public outcry, goods, wares and merchandise, stocks, houses, lots, lands and produce of any kind, shall be deemed an auctioneer and shall pay an annual license of twenty-five (\$25.00) dollars; provided, that the provisions of this section shall not apply to judicial and executive officers making auction sales by virtue of any judgment or decree of any court or sales by executors, administrators and guardians of any estate held by them.

Sec. 143. Live Stock Brokers. Any person or persons whose business it is to buy, sell or deal in horses, cattle, hogs or sheep, shall be deemed a live stock broker, and shall pay an annual license of ten (\$10.00) dollars.

Sec. 144. Dance Halls. That every society, association, person or persons letting a hall for dances, shall pay an annual license of twenty-five (\$25.00) dollars, or five (\$5.00) dollars per month, or two (\$2.00) dollars per day.

Sec. 145. Laundry. Every person, firm or corporation conducting a laundry in the city or as agent for any laundry located outside of the city, soliciting or taking orders for such laundry shall pay an annual license of fifty (\$50.00) dollars. Each person or firm conducting a Chinese laundry shall pay twenty-five (\$25.00) dollars per annum.

Sec. 146. Pawn Broker. Each person or firm whose business or occupation is to take and receive by way of pledge, pawn or exchange, any goods, wares or merchandise, or any kind of personal property whatsoever, as a security for

the repayment of money loaned thereon, other than exchange offices, banks, bankers and commission merchants shall be deemed a pawnbroker, and shall pay an annual license of two hundred and fifty (\$250.00) dollars.

Sec. 147. **Second-Hand Dealers.** Any person whose exclusive business shall be to buy and sell miscellaneous articles of second-hand or personal property, keeping a record of such purchases or taking a bill of sale of the same, and who buying any such article from any person and reselling the same to said party, his agent or any other person at a stipulated price previously agreed, or any person carrying on such business with other persons shall pay an annual license of two hundred and fifty (\$250.00) dollars; but nothing in this section shall be construed to prevent any person, who, being engaged in buying and selling any one class of goods from making a bona fide purchase or resale of any second-hand articles in his line.

Sec. 148. **Photo Galleries.** Each person or firm in this city engaged in making for sale, photographs, daguerreotypes or pictures of any kind by the action of light, shall be deemed a photographer and shall pay an annual license of fifteen (\$15.00) dollars.

Sec. 149. **Flying Dutchman.** Each person or firm operating a flying dutchman, riding gallery or similar machine shall pay an annual license of fifty (\$50.00) dollars, or five (\$5.00) dollars for each week, but it shall be unlawful to operate such machines after ten (10) o'clock p. m., nor shall any such machine be operated at any time on Main street in said city, nor within the limits included and bounded by the following streets: High, Broadway, Third and Walnut streets extended to High Street.

Sec. 150. **Bill Posters.** That each and every person or firm or corporation engaged in carrying on the business of bill posting, bill distributing or sign advertising, shall pay an annual license of one hundred (\$100.00) dollars, provided, however, that business men of Lexington, advertising their own business exclusively, shall not be required to pay any such license.

Sec. 151. **Ice.** That each person, firm or corporation engaged in the sale and delivery of ice within the city shall pay an annual license of one hundred and fifty (\$150.00) dollars.

Sec. 152. **Theatres.** Any person, firm or company, conducting an opera house, theatre, or hall where shows are given for which admission is charged, shall pay an annual license of two hundred (\$200.00) dollars.

Sec. 153. **Hotel.** An annual license of fifty (\$50.00) dollars shall be required of each person, firm, company or corporation keeping a hotel, but the payment of said license shall not be construed to include a license to sell spirituous, malt or vinous liquors or operate a pool and billiard table in said hotel.

Sec. 154. **Livery Stables.** Each person or firm conducting a feed and hitch stable shall pay an annual license of fifteen (\$15.00) dollars; each person or firm conducting a feed, hitch and livery stable shall pay an annual license of twenty-five (\$25.00) dollars; each person or firm conducting a feed, hitch, sale and livery stable shall pay an annual license of thirty-five (\$35.00) dollars.

Sec. 155. **Lightning Rods.** No person shall engage in this city in the business of soliciting orders for or putting up lightning rods without first paying an annual license of twenty-five (\$25.00) dollars, but this section shall not apply to any licensed business house in the city engaged in the sale of lightning rods.

Sec. 156. **Merchant's Liquor License.** On and after March 1, 1915, every person, firm or corporation engaged in selling spirituous or vinous liquors in

quantities not less than one (1) quart and no more than four and three-quarter ($4\frac{3}{4}$) gallons, not to be drunk on the premises and not sold to a retail dealer to be resold, shall take out a license therefor which shall be known as a Merchant's Liquor License. Said license shall not authorize the sale of said liquor in quantities less than one (1) quart nor more than four and three-quarter ($4\frac{3}{4}$) gallons and shall not authorize the sale of liquor to be drunk on the premises or the premises adjacent thereto.

Sec. 157. The Merchant's Liquor License provided for by section 156 shall be issued by the City Clerk in the same manner and subject to the same conditions as all other licenses, except that no such license shall be issued by the City Clerk until the same has been granted and authorized by the Board of Commissioners of the City of Lexington, evidenced by motion for that purpose duly made and carried and entered upon the journal of the proceedings of the Board. Not more than eight (8) Merchant's Liquor Licenses shall be issued and be in force at the same time, but this provision is not intended to prevent, and shall not prevent, the issue of Merchant's Liquor Licenses in excess of eight (8) to persons who now have coffee house licenses and who may elect to discontinue such coffee house license at the expiration of same and to take Merchant's Liquor License in lieu thereof.

Sec. 158. The amount of the annual license fee to be paid for a Merchant's Liquor License shall be five hundred (\$500.00) dollars to be paid at the time and in the manner now provided, or which may hereafter be provided, by ordinance of the city for the payment of coffee house licenses.

Sec. 159. This license shall not apply to nor include bona fide druggists employing registered pharmacists who sell liquor for purely medicinal purposes, or upon the prescription of some reputable physician authorized to practice medicine by the Commonwealth, but each bona fide druggist employing registered pharmacists, selling spirituous or vinous liquors for purely medicinal use shall pay an annual license of fifty (\$50.00) dollars. This license shall not be issued except on the approval of the Joint Ways and Means Committee.

Sec. 160. **Wholesale Liquor License.** Each merchant, dealer, or agent dealing in spirituous or vinous liquors at wholesale, and each firm, person, company, agent or corporation who shall for profit or gain engage in the business of selling spirituous or vinous liquors in any quantities to other persons, companies, firms or corporations engaged in the business of selling such liquors at retail, to be resold by such retail dealers, shall pay an annual license of two hundred and fifty (\$250.00) dollars, to be paid at the same time and in the same manner as now provided, or which may hereafter be provided by ordinance, for the payment of coffee house licenses. This license shall not be construed to mean as giving any right or privilege to sell to consumer, or for any purpose other than to be resold by the retail dealer.

Sec. 161. **Mail Order Liquor License.** That all persons, firms or corporations engaged in a mail order liquor business shall pay an annual license of two hundred and fifty (\$250.00) dollars.

Sec. 162. That any person, firm or corporation who shall sell whiskey or other intoxicating liquors in quantities less than five (5) gallons and more than a quart at a time by mail order and not to be sold by retail or wholesale within the City of Lexington shall be known as conducting a mail order liquor business.

Sec. 163. Nothing shall be construed in this ordinance as relating to merchant's liquor license or wholesale liquor business, but shall be known and construed as set out in section 162.

Sec. 164. Any person, firm or corporation carrying on such business and failing to take out a license therefor shall be fined for each offense in any sum not exceeding one hundred (\$100.00) dollars.

Sec. 165. **Coca-Cola.** That each person, firm or corporation manufacturing or bottling coca-cola or soft drinks shall pay an annual license of twenty-five (\$25.00) dollars.

Sec. 166. **Breweries' Agents.** Each agent or manufacture of, or person selling on commission for breweries, or any dealer or his agent by whom beer is sold, when the same was purchased from or on account of breweries, shall pay an annual license of two hundred and fifty (\$250.00) dollars.

Sec. 167. **Stock Brokers.** Any person or firm engaged in the business of negotiating the sale or purchase of bank shares, Trust Company's shares, etc., shall pay an annual license of twenty-five (\$25.00) dollars.

Sec. 168. **Auction Houses.** Each person conducting an auction house in the city, where goods, wares and merchandise are sold at public auction, shall pay an annual license of fifty (\$50.00) dollars. But this section shall not be construed to apply to any licensed business house, which shall close out its stock of goods on hand at public auction, or to any sheriff, commissioner, or constable's sale under an order of court.

Sec. 169. **Trading Stamps.** That any person, corporation or company engaged in the business of selling, trading in or with or using in their business, what are known as periodical tickets or trading stamps, or rebate stamps, shall pay an annual license of one hundred (\$100.00) dollars. This does not apply to merchant's using said stamps, periodical tickets or rebate stamps, but only to those who furnish same to said merchants.

Sec. 170. **Lumber Yards.** Each person, firm or corporation conducting a lumber yard or planing mill shall pay an annual license of sixty (\$60.00) dollars for the first yard or planing mill, and twenty (\$20.00) dollars for each additional yard or planing mill.

Sec. 171. **Feed Stores.** Each person or firm engaged in the business of conducting a feed store or buying or selling stock food shall pay an annual license of ten (\$10.00) dollars.

Sec. 172. **Stock Yards.** Every person, firm or corporation who conducts or operates a public stock yard shall pay for each stock yard conducted or operated fifty (\$50.00) dollars per year.

Sec. 173. **Meat Stores—Retail.** Each person keeping a retail meat store shall pay an annual license of twenty (\$20.00) dollars; this shall include persons peddling meat from door to door from a wagon or other conveyance, and each retail meat dealer using more than one wagon for the purpose of peddling meat shall pay twenty (\$20.00) dollars for each additional wagon. The provisions of this section with reference to retail dealers shall apply to every person who sells fresh meat in the city, whether in a place kept exclusively for such purpose or in conjunction with other business, and no license issued by the city shall authorize the sale of fresh meats except the license provided for in this section; provided that the person or persons conducting a grocery store in connection with a retail meat store shall not be required to pay the store license.

Sec. 174. **Meat Stores—Wholesale.** Persons selling meat at wholesale, or conducting a wholesale meat establishment, whether located in the city or selling meat through agencies, and persons keeping cold storage houses for the purpose of storing vegetables and other merchandise shall pay an annual license

of fifty (\$50.00) dollars, and payment of the wholesale meat license shall not exempt the payment of the cold storage license.

Sec. 175. Investment Companies. Each investment company shall pay an annual license of five hundred (\$500.00) dollars.

Sec. 176. Trust Companies, Etc. Each fidelity, trust, surety, guaranty or other company or corporation engaged in loaning money on mortgages, stocks, bonds or other collateral, or engaged in furnishing bonds or security of any kind whatever, whether official bonds or bonds required and used in the various courts, such as an attachment, replevin and injunction bonds, and bonds of a similar nature, shall pay an annual license of fifty (\$50.00) dollars for each agent having an office or doing business in the City of Lexington; this shall not include banks or trust companies, which pay to the City of Lexington a franchise tax or a tax on their real estate, and capital stock in lieu of such license.

Sec. 177. Architects. Every person whose business it is to plan, design and superintend the construction of houses and buildings for pay, shall be deemed an architect, and pay an annual license of ten (\$10.00) dollars. The Board of Public Works shall not issue a permit for the erection of any building unless the architect who planned or designed, or is to superintend the construction of same, shall first present to him the license required herein, nor shall said Board of Public Works grant said permit unless all contractors or other persons engaged in the construction of said building shall present to the Board the proper license as hereinbefore and hereinafter provided for.

Sec. 178. Stores—Retail and Wholesale. Each person or firm conducting a retail grocery, whose stock in trade averages less than one thousand (\$1,000.00) dollars, shall pay an annual license of ten (\$10.00) dollars; each person or firm conducting a retail grocery, whose stock in trade averages one thousand (\$1,000.00) dollars or over, shall pay an annual license of fifteen (\$15.00) dollars. Each person conducting a retail drug store, whose stock in trade averages less than one thousand (\$1,000.00) dollars, shall pay an annual license of fifteen (\$15.00) dollars. Each person or firm conducting a retail drug store, whose stock in trade averages one thousand (\$1,000.00) dollars or over shall pay an annual license of twenty-five (\$25.00) dollars. Each person or firm conducting any other kind of a retail store, business or manufactory establishment or business of any kind, not specifically mentioned herein, shall pay an annual license of ten (\$10.00) dollars if his or their stock in trade averages less than five thousand (\$5,000.00) dollars; if the stock in trade averages five thousand (\$5,000.00) dollars or over, then such person or firm shall pay an annual license of twenty-five (\$25.00) dollars. Each person or firm conducting a wholesale store or business whose stock in trade averages less than five thousand (\$5,000.00) shall pay an annual license of ten (\$10.00) dollars; if the stock in trade averages five thousand (\$5,000.00) dollars or over, such person or firm shall pay an annual license of twenty-five (\$25.00) dollars. Where persons or firms sell both at wholesale and retail, both licenses shall be required.

Sec. 179. Fish Stands. The City Clerk shall have the authority to issue a license to any person or firm to keep a fish stand upon the payment of five (\$5.00) dollars per year, but no license shall be issued to any one to keep said stand upon the streets or sidewalks, and no fish stand or chicken coop shall be permitted to stand upon the streets or sidewalks. Any person violating this section shall be proceeded against in the Police Court of the City of Lexington on the charge of maintaining a public nuisance.

Sec. 180. Peddlers. Any peddler, not exempt from the payment of a license tax by the Constitution or any statutory law, who shall sell, or offer for sale, goods, wares or merchandise of any kind whatever in the city, shall take out a license therefor and pay a license tax, the amount of which shall be graded as follows: If the selling price of any article to be sold, or offered for sale by the peddler does not exceed one (\$1.00) dollar, the license tax shall be five (\$5.00) dollars per week or a fractional part thereof; if the selling price of any such article shall exceed one (\$1.00) dollar and does not exceed five (\$5.00) dollars, the license tax shall be fifty (\$50.00) dollars per week or a fractional part thereof; if the selling price of any such article shall exceed five (\$5.00) dollars the license tax shall be seventy-five (\$75.00) dollars per week or fractional part thereof. The City Clerk shall endorse on every license issued under this section the maximum price which may be charged for any article sold thereunder.

Sec. 181. Junk Dealers. Any person who conducts a store or place of business commonly known as a junk shop, wherein are bought and sold old rags, scrap-iron, copper, zinc, bones, hides, feathers, furs, wool, skins and other odds and ends, shall pay an annual license of fifty (\$50.00) dollars. Any person purchasing any kind of said articles from a minor shall keep a record of the name of said minor and his place of residence and the time and exact amount of the purchase made of him.

Sec. 182. Advertising Agency. Each person, firm, corporation or agency engaged in the business of advertising or soliciting advertisement by means of directories, books, pamphlets, hotel registers, clocks, thermometers and other patent devices, or by contract for advertisements in street cars and other public places, shall pay an annual license of fifty (\$50.00) dollars. This shall not include a person or firm advertising their own business with such contractor or solicitor; nor shall it apply to persons or firms advertising their own business on their own account; provided, no other advertisement be included on the card, pamphlet or other device used for said advertisement.

Sec. 183. Ticket Brokers. Any person who shall engage in buying tickets of admission to any theatre, opera house, concert hall, or other public entertainment, show or theatrical performance, and shall sell or offer to sell the same again at any advance, shall be deemed a theatrical ticket broker, and shall pay an annual license of fifty (\$50.00) dollars. This shall include any manager, agent, proprietor or employe of any opera house, theatre, etc., who either directly or indirectly obtains, purchases or holds out said tickets and charges an advance price therefor.

Sec. 184. Oil—Retail. Every person, firm or company engaged in selling and delivering oil in this city by retail from wagons, shall pay an annual license of twenty-five (\$25.00) dollars on each wagon used in such sale and delivery.

Sec. 185. Grain Warehouses. Each person, firm or corporation having a grain warehouse or elevator for the storage of grain for compensation, percentage or commission, shall pay an annual license of twenty-five (\$25.00) dollars.

Sec. 186. General Warehouses. All persons not included in the preceding section who store goods, wares and merchandise for pay, shall pay an annual license of twenty-five (\$25.00) dollars.

Sec. 187. Coal Yards, Etc. Every person, firm or corporation in this city who conducts a yard for the purpose of buying or selling coal, wood, lime, sand, cement or fuel of any kind, and each agent or broker engaged in the buying or selling of coal, wood, lime, sand, cement or fuel of any kind, shall pay an annual license of fifty (\$50.00) dollars for the said yard, agency or

brokerage, and ten (\$10.00) dollars for each additional yard, office or place where orders are taken for the sale of said articles by retail, and each additional agency or brokerage. And each yard owning or operating more than five (5) carts or wagons shall pay for each additional cart or wagon, over five (5), five (\$5.00) dollars, for such additional carts or wagons with tires less than four (4) inches in width, and two (\$2.00) dollars for each additional cart or wagon with tires four (4) inches or more in width.

Sec. 188. **Temporary Merchants.** Each temporary merchant shall pay a license of one hundred and fifty (\$150.00) dollars. Such license shall not be good for a longer period than three (3) months. All persons, firms or corporations who engage in business temporarily, or who rent a store room for a less period than six (6) months, or who rent such store room for a period of six (6) months or more, with no purpose of occupying same for business purposes during the full term of said lease, or who, with no intention of becoming permanent bona fide merchants of the city, rent a store room to be occupied by them after the city assessment of property in September and before the first day of the following year, for the purpose of selling or offering for sale goods, wares or merchandise of any kind or description, either privately or at public auction or who shall consign or deliver such goods, wares or merchandise to the auction or other rooms of an auctioneer, or of any person whatsoever, either at private or public sale, to be disposed of by him or any other person, are hereby declared to be temporary merchants. The provisions of this section shall not apply to assignees, commissioners, or sheriffs or other officers who make sales under order of the court, or to merchants who in good faith desire to dispose of their goods for the purpose of retiring from business, or to those who desire to dispose of their household goods, which have been used by them or their families. Before issuing a license to any person claiming to have the intention of becoming a permanent bona fide merchant, the City Clerk may require an affidavit from the applicant and may hear other evidence, and if he be satisfied from such affidavit and other evidence that the applicant is a temporary merchant, he shall not issue to him any license other than a temporary merchant's license.

Sec. 189. **Vehicles.** For each vehicle or conveyance plying in this city for hire or profit the owner, firm or company or corporation plying such conveyance shall obtain a license for that purpose and shall pay the following amount for said license, per annum:

Each omnibus	\$10.00
Each furniture wagon used for any other purpose than the delivery of goods sold to customers	15.00
Each spring wagon (not hauling passengers)	6.00
Each watering or sprinkling cart	25.00
Each transfer wagon using a tire more than 4 inches in width	10.00
Each transfer wagon using a tire less than 4 inches in width	15.00
Each cart or dray	6.00
Each Milk Wagon	10.00

It shall be the duty of the City Clerk to furnish each owner of a vehicle, for which a license is charged by the city, one metal tag of suitable size indicating the year for which the license has been paid and the character of said license; which tag shall be fixed or fastened on some conspicuous place on said vehicle where it can be seen.

Sec. 190. **Commission Brokers.** Brokers who are members of a regularly organized exchange or of regularly organized exchanges and who, in their own name and in offices established in the City of Lexington are engaged in the

bona fide purchase and sale on commission of grain or other commodities, or of stocks, bonds and other securities, intending the actual delivery thereof, shall pay an annual license tax of one hundred (\$100.00) dollars.

Any broker doing business in the City of Lexington, either in his own name or as agent, representative or correspondent of another, who shall engage in making, or assist in making contracts respecting the purchase or sale, either upon credit or margin, of any such securities or commodities as aforesaid wherein both parties do not intend the actual bona fide receipt or delivery of such securities or commodities but do intend a settlement of such contracts based upon the differences in public market quotations of prices at which such securities or commodities are, or are asserted to be, bought or sold, shall pay an annual license tax of one thousand (\$1,000.00) dollars. Brokers doing a brokerage or commission business for cash or actual future delivery on the regularly organized exchanges of the country, or through any member of such exchanges, shall each pay an annual license of one thousand (\$1,000.00) dollars.

Sec. 191. **Brass Knucks, Etc.** That each person, firm or corporation dealing in and selling brass knucks and slung shots, shall pay an annual license of one hundred (\$100.00) dollars, provided no person, firm or corporation conducting a regularly organized pawnshop shall be required to take out such license.

Sec. 192. **Wholesale Oil Dealers.** That all persons, firms or corporations selling or dealing in petroleum, coal oil or its products, in quantities of forty-five (45) gallons or over, shall be classed as wholesale oil dealers, and shall pay an annual license of one hundred and fifty (\$150.00) dollars; provided, however, that this shall not apply to persons, firms or corporations buying oil from licensed wholesale dealers for resale in quantities of forty-five (45) gallons or over.

Sec. 193. **Circuses, Etc.** Each circus or menagerie exhibiting within the city limits shall pay a license of one hundred (\$100.00) dollars per day, and ten (\$10.00) dollars for each additional separate exhibition, show or performance to which an admission fee is charged, and the agent, manager or proprietor of each circus or menagerie which exhibiting outside of the city limits, shall make a parade on the streets of the city, shall pay a license of one hundred (\$100.00) dollars, except as stated in section 194. Every entertainment given within a canvas enclosure without a menagerie connected therewith, and which shall give a parade on the streets of the city, and to which an admission fee is charged, shall pay a license of twenty-five (\$25.00) dollars per day.

Sec. 194. **Exhibitions in Buildings.** Any person or firm desiring to give any sort of exhibition, except as stated in section 193, and where said exhibition is given in a permanent building in this city, shall make an application in writing to the City Clerk, stating the character of the entertainment he desires to give and the price of admission to the same, and if the clerk believes that said exhibition is not immoral or hurtful, he shall upon payment to the City Treasurer of five (\$5.00) dollars for each week said exhibition shall continue, grant a license for the same, unless said exhibition or entertainment shall be for the benefit of some charitable institution or purpose, in which event no license fee shall be required, but the Mayor shall have the power to revoke said license whenever he shall deem the said entertainment or exhibition to have become a nuisance or in any way hurtful or offense to public morals.

Sec. 195. **Billiard or Pool Rooms.** Every person keeping a billiard or pool table in this city for hire, profit or compensation of any kind, or keeping a billiard or pool table in a place of business where anything is sold for a profit

even though no charge be made for the use of either of said tables, shall pay an annual license of twenty-five (\$25.00) dollars for the first table and ten (\$10.00) dollars for each additional table.

Sec. 196. Insurance Companies. Each and every life, fire, mutual, live stock and accident insurance company doing business in Lexington, Kentucky, shall be rated and pay annual license as follows:

If their premiums on renewals and new business be one thousand (\$1,000) dollars, or less, twenty-five (\$25.00) dollars.

If their premiums on renewals and new business be more than one thousand (\$1,000.00) dollars or less than two thousand (\$2,000.00) dollars, fifty (\$50.00) dollars.

If their premiums on renewals and new business be more than two thousand (\$2,000.00) dollars or less than four thousand (\$4,000.00) dollars, one hundred (\$100.00) dollars.

If their premiums on renewals and new business be more than four thousand (\$4,000.00) dollars and less than six thousand (\$6,000.00) dollars, one hundred and fifty (\$150.00) dollars.

If their premiums on renewals and new business be more than six thousand (\$6,000.00) dollars and less than ten thousand (\$10,000.00) dollars, two hundred (\$200.00) dollars.

If their premiums on renewals and new business be more than ten thousand (\$10,000.00) dollars, two hundred and fifty (\$250.00) dollars.

Companies doing exclusive plate glass business shall pay a license of twenty-five (\$25.00) dollars. The City Clerk shall not issue the license mentioned in this section until the company applying for the same has filed with him a sworn statement of the amount of premiums received for renewals and new business during the year preceding, on business done exclusively within the City of Lexington, Kentucky. In case of original application for licenses to do business under this section the company applying for same shall pay twenty-five (\$25.00) dollars.

Sec. 197. Various Occupations. Each person or firm engaged in the following occupations or businesses shall pay an annual license for that purpose in the following amount:

Skating rink, for profit or pay, one hundred (\$100.00) dollars.

Shooting gallery, fifty (\$50.00) dollars per annum, or five (\$5.00) dollars per month.

Candy stand or fruit stand on the streets, twenty-five (\$25.00) dollars per annum.

Restaurants, ten (\$10.00) dollars per annum.

Venders of fruit, wienerwurst, ice cream, sherbert, peanuts, popcorn, or other articles upon the streets, ten (\$10.00) dollars per annum.

Agents for the leasing or renting of houses or real estate, twenty-five (\$25.00) dollars per annum; provided, that real estate agents who have paid their license shall not be required to pay a house agent's license.

Each fish dealer, five (\$5.00) dollars per annum. (See Sec. 179.)

Railroad ticket broker, twenty-five (\$25.00) dollars per annum.

Tenpin or bowling alley, ten (\$10.00) dollars for the first and five (\$5.00) dollars for each additional ailey per annum.

Physician, dentist, surgeon, veterinary surgeon, chiropodist, osteopath, masseur, electrician or attorney-at-law, each ten (\$10.00) dollars per annum.

In the case of a firm or partnership for the conducting or carrying on of any of the last named professions each member of the firm shall be required to take out a license.

Sec. 198. **Barber Shops.** Every person, firm or corporation conducting a barber shop in the City of Lexington, shall pay an annual license of ten (\$10.00) dollars.

Sec. 199. **Chattel Loan Companies.** Every person, firm or corporation, and each branch or agency thereof, engaged in the business of loaning money on chattels, by taking a chattel mortgage thereon, or bills of sale therefor, or who shall engage in the business of loaning money for interest or compensation, whether such loans are secured or unsecured or evidenced by any writing, or other wise, excepting banks or trust companies, duly organized under the laws of Kentucky, or the National Banking Act, and regularly engaged in the banking business, shall be deemed money lenders and shall pay an annual license of fifty (\$50.00) dollars therefor.

Sec. 200. Every person, firm or corporation violating the provisions of section 199 shall be fined not less than ten (\$10.00) dollars nor more than fifty (\$50.00) dollars for each offense.

Sec. 201. **Hauling Night Soil.** Persons wishing to engage in the occupation of hauling night soil shall pay an annual license of ten (\$10.00) dollars and any person desiring such license shall procure a certificate from the Health Officer, President of Board of Health, or Chairman of the Crematory Committee of the General Council stating that such person is equipped with proper tank, wagon or vessel for hauling night soil as required by ordinance.

It shall be the duty of the officer issuing such certificate to inspect the equipment of such person and certify to such as conform to the requirements of this section. The City Clerk shall not issue any such license except upon such certificates. Anyone violating the provisions of this section shall be fined ten (\$10.00) dollars for each offense.

Any person having such license who shall violate any of the rules of the Board of Health with reference to hauling any night soil or depositing same in the city hopper and who shall deposit same in a manhole, or otherwise violate any part of this or the preceding sections, shall forfeit his license and it may be revoked by the Mayor upon reasonable notice of such person and opportunity to be heard.

Sec. 202. **Garages.** All persons, firms or corporations having a permanent location in this city, and shall be prepared to keep, repair and furnish supplies for automobiles, shall within the meaning of this ordinance, be known as keepers of a garage, and each person, firm or corporation, conducting such garage shall pay an annual license of twenty-five (\$25.00) dollars, and such person, firm or corporation, conducting such garage shall have the right to hire and rent automobiles without an additional license, except the payment of one (\$1) dollar to the City for a registry tag, which shall be furnished by the City Clerk as provided by ordinance.

Sec. 203. Any person, firm or corporation, other than keepers of a garage who hire, carry passengers, or rent such machines, shall pay an annual license of ten (\$10.00) dollars upon each machine and upon payment of such license, without additional charge, the City Clerk shall furnish registry tags as provided by ordinance.

Sec. 204. Any person failing to take out and pay the license required by this ordinance (sections 202 and 203) shall be fined in any sum not to exceed the amount of the license.

Sec. 205. **Night Hawks.** All persons, firms or corporations owning or operating night hawks, public carriages, or other vehicles for public hire shall first obtain a license from the City to conduct or carry on such business, and he shall pay for such license the sum of twelve (\$12.50) dollars and fifty cents per annum.

Sec. 206. Any person, firm or corporation seeking such license as set out in section 205 shall first have the carriage or vehicle which is to be licensed inspected by the Health Officer of the City of Lexington, and if said carriage be in first class healthy and sanitary condition and known to be safe for traveling purposes, the said Health Officer shall give to the person seeking such license a certificate to the City Clerk, authorizing the issuance of such license for said carriage or vehicle and the City Clerk shall upon the presentation of such certificate and the payment of the required license fee issue to such person a license for such carriage or vehicle, but no license shall be issued by the said clerk until such certificate is presented. The license shall set out upon its face a number for such carriage or vehicle, the said number beginning with the number 25 and running consecutively thereafter as the licenses for the carriage and vehicles are issued.

Sec. 207. All carriages or vehicles so licensed shall at all times during the night have a carriage lamp lighted upon each side of the said carriage. And the number of said carriage as designated in the license shall be plainly painted upon the glass of said lamp, said numbers not to be less than one (1) inch in height.

Sec. 208. Any person, firm or corporation applying to the Health Officer as set out in section 206, and refused said certificate, may have a right to appeal to the Joint Ways and Means Committee of the General Council, and such committee upon examination shall have the right to issue such certificate, and in the event the said certificate is granted by the said committee, then the City Clerk shall issue the license the same as set out above.

Sec. 209. Nothing in this ordinance shall be construed as giving the right to any carriage or vehicle to stand upon any street heretofore forbidden by law, and this ordinance, so far as license is concerned, shall not apply to those who conduct a livery stable in good faith and pay license to so conduct said stable; but the Health Officer shall, at any time, have the right to condemn any public carriage by reason of unhealthy and unsanitary condition.

Sec. 210. Any person, firm or corporation violating any part of this ordinance (sections 205 to 210) shall be fined for each offense not exceeding the amount of the license herein prescribed.

Sec. 211. **Hucksters.** During the month of March in the year 1910 and during the same month of each succeeding year thereafter, each person, firm or corporation, engaged in huckster business shall pay an annual license to the City Treasurer of twenty-five (\$25.00) dollars.

Sec. 212. No license shall be issued as set out in section 211 for a less amount than the sum required for an entire annual license.

Sec. 213. Nothing shall be construed in this ordinance as requiring persons selling produce actually raised by them upon property under their control to pay a license, but whenever any person, firm or corporation buys any goods, wares, produce or merchandise for the purpose of reselling same as huckster, he shall be licensed as set out above.

Sec. 214. **Lunch Stands.** Every person keeping a lunch stand on the streets of the City of Lexington shall pay the City an annual license of fifty

(\$50.00) dollars, and all money so derived by the City shall be credited to and become a part of the General Expense Fund of the city and be used for no other purpose.

Sec. 215. No lunch stand shall be allowed to occupy any part of any sidewalk, and every lunch stand shall be provided with wheels and be easily movable from place to place. The City Clerk will not issue a street lunch stand license until the applicant produces to him a certificate of the Board of Public Works that the applicant is equipped with a stand mounted on wheels in compliance with this ordinance.

Sec. 216. No license shall be construed as giving the holder thereof the right to conduct his stand on any particular street of the city, and such stand shall be at all times under the strict supervision of the Board of Public Works and subject to removal from place to place by order of said department, and any such license shall be subject to revocation by the Board if the holder thereof violates this ordinance in any respect or fails to comply with any order of said Board, directing him to move his stand, or if he allow his stand to become or create a nuisance.

Sec. 217. That lunch wagons be permitted to stand on Broadway between Vine and Church Streets, and on Cheapside, provided the proprietor has the consent of the occupant of the property in front of which the wagon is to stand.

Sec. 218. That push carts or wagons vending fruit, confections, etc., be permitted on the streets, provided they do not stand longer than thirty (30) minutes at a time in any one spot, when they shall be compelled to move at least one-half ($\frac{1}{2}$) a block.

Sec. 219. **Dogs.** Each person owning a dog in the City of Lexington shall pay an annual license of one (\$1.00) dollar, and upon the payment of said license the City Clerk shall deliver to said person a metal tag with the year for which said license is paid engraved thereon, which tag shall be attached to the collar on said dog. (Repealed—see section No. 123.)

Sec. 220. **Public Bath Rooms.** Each person, firm or company conducting a public bath room for pay in this city shall pay an annual license of ten (\$10.00) dollars. This shall not apply to duly licensed hotels.

Sec. 221. **Medicine Vendors.** Every vendor of medicines or nostrums, who shall sell same from house to house or on the streets or other highways of the city, shall pay a license of one hundred and fifty (\$150.00) dollars per annum.

Sec. 222. **Various Occupations.** Each and every person, corporation or company which shall engage in, conduct or carry on any trade, occupation, employment or business hereinafter named, shall pay to the City of Lexington a license fee in the respective amounts hereinafter set out and prescribed and obtain a license therefor:

1. **Pistols.** To buy, sell or deal in pistols, or to take same in trade for other things, or to act agent to buy, sell or trade in pistols, one hundred (\$100.00) dollars per annum.

2. **Cash Registers.** To sell cash registers or computing scales from samples displayed in any public place, or to conduct a place of business for the purpose of displaying cash registers or computing scales as samples from which sales are made, ten (\$10.00) dollars per annum.

3. **Messenger Service.** To conduct a messenger service, ten (\$10.00) dollars per annum.

4. **Collection Agency.** To conduct a collection or credit reporting agency, fifteen (\$15.00) dollars per annum.

5. **Athletic Clubs.** For each athletic club under whose auspices and management boxing and wrestling contests are held, and for which admission is charged, one hundred (\$100.00) dollars per annum.

6. **Boxing Bouts, Etc.** For boxing or wrestling bouts, contests or tournaments to which admission is charged, ten (\$10.00) dollars for each performance, provided that the payment of a license fee for each performance shall not be required where the contests are held by any club or person who has paid the annual license fee of one hundred (\$100.00) dollars.

7. **Carriage Shops.** Carriage or wagon manufacturing or repair shops, ten (\$10.00) dollars per annum.

8. **Blacksmiths.** Blacksmith or horse-shoeing shops, ten (\$10.00) dollars per annum.

9. **Tailorshops.** Tailor shops, except where the person operating the shop pays the merchant's license to the city, ten (\$10.00) dollars per annum.

10. **Cobblers.** Shoe repair or cobbler shops, five (\$5.00) dollars per annum.

11. **Shoe Shiners.** Shoe shining stands or parlors, ten (\$10.00) dollars per annum.

12. **Real Estate Brokers.** Buying and selling, renting or leasing real estate or collecting rentals on real estate on commission or for compensation, twenty-five (\$25.00) dollars per annum.

13. **House to House Agents.** To canvass from place to place, whether on foot or on horse or wagon, and sell or take orders for the sale of any rugs, carpets, mattings, furniture, stoves, blankets, lace curtains, clocks, jewelry, dress goods, kimonos, cloaks, clothing, bedspreads, comforts or window shades, where such sales are made conditionally, or the title retained in the seller in order to secure payment of the purchase money, twenty-five (\$25.00) dollars per annum.

14. **Packing House Agents.** For each branch or agency of any packing house, company or concern, soliciting orders for the sale of, or selling to retailers or consumers fresh meats, including pork, beef, mutton, sausage or other packing products, exclusive of cured or salt meats, where the deliveries are to be made from local stocks or from railroad cars, fifty (\$50.00) dollars per annum.

15. **Printers.** Job printing, or job printing and book binding, ten (\$10.00) dollars per year.

16. **Cleaning and Dyeing.** Cleaning and dyeing establishments, ten (\$10.00) dollars per annum.

17. **Publishers—Daily Papers.** Publishing daily newspapers, fifty (\$50.00) dollars per annum.

18. **Publishers—Weekly or Monthly Papers.** Publishing weekly or monthly newspapers, ten (\$10.00) dollars per annum.

19. **Merchandise Broker—Tobacco Warehouses.** Every person, firm or corporation engaged in, or acting as agent for the sale or purchase of goods, grains, tobacco, wares or other merchandise, shall pay an annual license of twenty-five (\$25.00) dollars. Every person, firm or corporation conducting a tobacco warehouse, where sales or purchases of tobacco are conducted, or tobacco storage houses where tobacco is stored, or rehandled, shall pay an annual license of twenty-five (\$25.00) dollars per year for each house.

Sec. 223. **Part of General Fund.** All money derived from the payment of the licenses provided for by the ordinances of the City of Lexington shall, when collected, become a part and be credited to the general expense fund of the city, and shall be used for no other purpose.

Sec. 224. **Penalties.** Any person, firm or corporation which shall engage in, conduct or carry on any trade, occupation, employment, business or profession, for which a license is required by ordinance, without obtaining such license and paying the license tax therefor as required, or who shall violate any of the provisions of any ordinance of the city requiring the taking out of such licenses and regulating the same, unless otherwise specifically provided, shall upon conviction in the Police Court, be fined not less than one (\$1.00) dollar, nor more than one hundred (\$100.00) dollars for each offense; provided, however, that in no case shall a fine for any one violation exceed the amount of the license tax required and costs. Such conviction shall not exempt the person convicted from the payment of the license tax nor be a bar to further prosecutions for any future violation of such ordinance. Prosecutions for any such violation may be begun by a warrant sworn out either by the License Officer of the City of Lexington, or by any officer, employee or citizen of said city, and in the case of any conviction if the fine imposed is not paid, the person so convicted shall be confined in the City Workhouse or City Jail. The agent or agents of non-resident proprietors, companies, corporations or firms shall be subject to punishment for carrying on any business, trade, occupation or profession without license the same as if they were the proprietors or owners.

Sec. 225. The provisions of the foregoing sections relating to licenses shall not apply to the business of conducting coffee houses or to other trades, occupations or businesses otherwise specifically provided for by ordinance.

CHAPTER 7; ARTICLE II.

LICENSES. COFFEE HOUSES.

Sec. 226. **What Are Coffee Houses.** All saloons, beer gardens, coffee houses or any other place wherein spirituous, vinous or malt liquors are sold in quantities less than a quart, to be drunk on the premises or elsewhere, shall within the meaning of this ordinance be known and designated as coffee houses.

Sec. 227. **Coffee House Keepers.** Each individual, firm, partnership or corporation conducting and operating a coffee house in the City of Lexington shall, within the meaning of this ordinance be known and designated as a coffee house keeper.

Sec. 228. **License Required.** It shall be unlawful to conduct or operate a coffee house within the corporate limits of the City of Lexington without a license therefor obtained in the manner provided in this ordinance.

Sec. 229. **When Clerk to Issue—To Whom—Separate From Other Business—Penalty.** No coffee house license shall be issued by the City Clerk until the same has been granted and authorized by the Board of Commissioners of the City of Lexington, evidenced by motion for that purpose duly made and carried and entered upon the journal of proceedings of said Board of Commissioners. No coffee house license shall be granted to any person who is not a citizen of the United States and a resident of the City of Lexington, Kentucky, nor to any minor or person of unsound mind, nor to any person who has not a good moral character; nor shall any license be issued for the conduct of a coffee house in any part of the city known and described in Ordinances Nos. 255 and 63 (Secs. 257 and 261), new series of the City of Lexington. No coffee house shall be conducted in connection with a grocery, restaurant, meat store, market or butcher shop, dance hall or any other business whatever, except a bona fide hotel of not less than twenty-five (25) rooms, nor shall any license be granted to any person to conduct a coffee house in connection with any other business except such bona fide hotel. The words "in connection with" as used in this section are intended to mean, and shall be construed to mean, any physical connection by doorway, or other passage way between the coffee house and such other business whereby access may be had from one to the other and by means of which the business of the coffee house may be carried on through such other place of business in violation of law or ordinance. It shall be immaterial whether such other business is conducted by the same person as the coffee house, or whether they be in the same building, and in all cases the Board of Commissioners shall determine whether such physical connection exists as contemplated by this section, and when such coffee house is separated from such other business, it shall be by a wall at least twelve (12) inches in thickness. The violation of this section by any coffee house keeper shall subject him to a revocation or suspension of his license as provided in section 24, (249 Rev. Ord.) of this ordinance.

Sec. 230. **Number Limited—Transfers—How Made—Protests.** No coffee house license shall be granted to any person, firm or corporation not holding a license at the time of the passage of this ordinance until the number of coffee house licenses in effect has been reduced to seventy-five (75) and thereafter no coffee house licenses, in excess of seventy-five (75), shall be granted to be in effect at the same time; provided, however, that nothing in this section shall be construed to prevent the transfer of a license from one person, firm or corporation to another, or from one location to another by a majority vote of the Board of Commissioners; provided further, that the applicant secures the written con-

sent of the owners of a majority of the fronting or abutting feet of property on both sides of the street in the square in which the building is located in which the coffee house is to be conducted under such license when transferred, and if such building be a corner building or have an opening on two streets, the consent of the owners of the majority of the fronting or abutting feet of property on both sides of each of said streets in such squares must be obtained and filed with the Board of Commissioners; provided further, that before such transfer is granted the application therefor shall be read before the Board of Commissioners and shall remain on file one (1) week in the City Clerk's office for public inspection, and notice thereof shall be published at least five (5) times in the official newspaper of the city. But nothing in this ordinance shall be construed to prevent the owners of a majority of such abutting feet of property as above described from protesting against the renewal of any coffee house license, and if the owners of a majority of such abutting feet of property shall protest against the renewal of a coffee house license, then said license shall not be renewed by the Board of Commissioners. Said protest must be in writing, signed by the persons protesting, and shall show the number of abutting feet of property owned by each of them and shall be filed with the Board of Commissioners on or before January 1, of each year.

Sec. 231. Renewals to Owner. In the event that a license is issued for the conduct of a coffee house in a certain location, and a coffee house has been conducted at such location, and if for any reason the person to whom such license is issued shall cease to conduct a coffee house at such location, then the owner of the property may unite in an application with another person for a license for a coffee house at such location, and the Commissioners may issue a license for the conduct of a coffee house at such location provided that the applicant who is to conduct such coffee house shall be a fit person, firm or corporation to conduct such coffee house and shall comply with the provisions of this ordinance.

Sec. 232. Hotels Excepted. Nothing in this ordinance is to be construed to prevent the Board of Commissioners from granting coffee house license to any bona fide hotel or tavern of more than forty (40) rooms that may hereafter be erected or established in the City of Lexington, Kentucky, if in their judgment the person, firm or corporation erecting or establishing said hotel or tavern is competent and fit to manage a coffee house, and provided further that such applicant complies with all of the provisions of this ordinance.

Sec. 233. Affidavit Before Issuing. Each person, firm or corporation to whom a coffee house license may be granted, renewed or transferred, shall before said license is issued, renewed or transferred, file with the City Clerk an affidavit, as to his name, age, nativity, and the location of the building in which he is to conduct such business, and if a company or firm, the names and addresses of all the members and partners composing the same; if a corporation, the name of the president and secretary, the location of the principal office of the corporation, the name of the State under which it is chartered, and the name and address of the person who is to manage the business.

Sec. 234. Bond—Conditions of. No coffee house license shall be issued until the applicant therefor shall have executed a bond to the City of Lexington in the penal sum of two hundred (\$200.00) dollars, with surety approved by the Commissioner of Public Safety, conditioned that the licensee will not keep a disorderly house or sell any liquor to habitual drunkards, or to any minor, except upon the written order of the parent or guardian of such minor and will not permit in his coffee house gambling, rioting or disorderly conduct and that he will not keep open his coffee house, or sell or permit to be sold therein or there-

from, any beer, ale, or any spirituous, vinous or malt liquors or any near beer, coca-cola or other soft drinks, on Sunday, or between the hours of 12:00 p. m., and 4:00 a. m., or on any election day, and that he will not violate any provisions of this ordinance or of any other ordinance of the city relating to coffee houses and that he will pay any and all fines which may be inflicted upon him for the breach of this ordinance or any other ordinance relating to coffee houses.

Sec. 235. One Year to Run—Amount and How Payable. Coffee house license will be issued to run from March 1 of one year to March 1, of the succeeding year, or may be issued for one-half of such period. The annual license fee for each coffee house license shall be seven hundred and fifty (\$750.00) dollars, to be paid on or before March 10 of the license year, provided that the licensee shall have the privilege of paying three hundred and seventy-five (\$375.00) dollars on or before March 10 and the remaining three hundred and seventy-five (\$375.00) dollars on or before September 10 of such year. Before any coffee house license is issued by the City Clerk, the applicant therefor shall pay to the City Treasurer the required sum as above set out and present the treasurer's receipt to the City Clerk. If the entire license fee is paid, the clerk will issue the license for the full year. If only half of the license fee is paid, the clerk will issue the license for six (6) months.

Sec. 236. Money Part of General Fund—Not Refunded. All money derived from the payment of the licenses provided for in this ordinance shall, when collected, become a part and be credited to the general fund of the city. No portion of any money paid for a coffee house license shall be refunded by the city.

Sec. 237. Assignable and Transferable. License issued under the provisions of this ordinance shall be assignable and transferable; subject, however, to the approval of the Board of Commissioners and subject to all the provisions of this ordinance with reference to the original issue of such license except the payment of the license fee if the same has been paid.

Sec. 238. Glass in Front. All window glass in the front of rooms used for coffee houses shall be clear and transparent and shall not be frosted or discolored in any manner; nor shall any letters, signs, characters or devices of any kind whatsoever be placed upon said glass that will obstruct or obscure the view. The glass in the front part of each coffee house shall commence at a line not exceeding approximately four (4) feet above the side walk just in front of the coffee house, and shall extend upward to a point not less than six (6) feet above the grade of such sidewalk.

Sec. 239. Obstructions to View Not Allowed. No curtains, awnings, screens or devices of any kind whatsoever shall be used within or without any coffee house, except bona fide hotels, in any manner that will obstruct the view from the street or sidewalk, of that part of such coffee house situated behind the bar or counter during hours when the coffee house is required by law or ordinance, to be closed. During such hours all doors, curtains and screens in permanent interior screens or partitions shall be kept open so as to afford the fullest possible view of the interior of the coffee house, and sufficient lights shall be kept burning to fully light the interior thereof.

Sec. 240. To Whom Not to Sell. It shall be unlawful for any coffee house keeper to give or sell any intoxicating liquors to any person under the age of twenty-one (21) years without the written consent of the parent or guardian of such child or to any habitual drunkard or inebriate or to any person who has been judicially declared to be an idiot or of unsound mind, or to conduct in connection with his coffee house any dance hall, wine room or sitting room, or to allow or permit gambling of any kind or nature whatsoever in or about such coffee house.

Sec. 241. **Infants and Women Not to Enter.** It shall be unlawful for any person under the age of twenty-one (21) years without the written consent of the parent or guardian of such person or any woman to enter any coffee house or to loiter about same or the doors thereof, and any one violating the provisions of this section shall be fined not less than one (\$1.00) dollar, or more than fifty (\$50.00) dollars for each offense.

Sec. 242. **Members of Family.** It shall be unlawful for any coffee house keeper to permit any person under twenty-one (21) years of age, without the written consent of the parent or guardian of such person, or any woman to enter his coffee house, or loiter about same or the doors thereof, but this section and section 241 shall not be construed to include members of a coffee house keeper's family or persons in his employment.

Sec. 243. **Not to Enter on Sunday.** It shall be unlawful for any coffee house keeper, his agent or employe, to enter his coffee house on Sunday, except for the purpose of complying with section 239 of this ordinance with reference to lighting, or for the purpose of icing beer or unless it becomes necessary to enter such coffee house to prevent injury thereto by fire or other cause.

Sec. 244. **Music Not Allowed.** It shall be unlawful for any coffee house keeper to allow or permit music by pianos, bands, music boxes, or any other instruments in his coffee house, or to permit said coffee houses to be, or become a disorderly house, or to permit lewd, indecent or immoral acts to be committed therein, or on the premises adjacent thereto and under the control of such coffee house keeper, or to permit in such coffee house, or premises, loud or boisterous conversation, sounds or other noises, or to permit such coffee house or premises to be used for purposes of prostitution, assignation or other immoral purpose or to become a nuisance.

Sec. 245. **Not to Keep Open—When.** It shall be unlawful for any coffee house keeper to keep open his coffee house on Sunday, or between the hours of 12:00 o'clock p. m., and 4:00 o'clock a. m. on any other day of the week, or on election day, or to sell, give away or deliver, during such prohibited days and times, any beer, ale or spirituous, vinous or malt liquors or any near beer, coca-cola or other soft drinks.

Sec. 246. **Sunday Clubs Forbidden.** It shall be unlawful for any coffee house keeper to permit any club, of the kind commonly known as "Sunday Clubs," to be conducted or operated in or to have quarters in any building under control of such coffee house keeper, wherein beer, ale, or any spirituous, vinous or malt liquors or any near beer, coca-cola or other soft drinks may be served and drunk on Sunday or between the hours of 12:00 o'clock p. m., and 4:00 o'clock a. m. on any other day of the week or on any election day; or to permit any part of any building under his control to be used as a place for the purpose of drinking any such liquors at any such times.

Sec. 247. **Ordinance Posted—Where.** Each coffee house keeper having a license under the provisions of this ordinance shall exhibit the same in plain view in his place of business at all times while the same is in force and shall at all times keep posted in a conspicuous place in such coffee house, so that same will be easily read, a copy of all the principal features of this ordinance relative to the regulations of such places of business.

Sec. 248. **Penalties.** If any coffee house keeper shall, in person, or by his agent or employe, with or without the knowledge of such coffee house keeper, violate any provision of this ordinance, such coffee house keeper shall, upon conviction, be fined not less than fifty (\$50.00) dollars nor more than one hundred (\$100.00) dollars for each offense; and the individual person, whether

he be the coffee house keeper or the agent or employee who commits the act which constitutes such violation, shall upon conviction be confined in the city jail not less than five (5) nor more than thirty (30) days. Any coffee house keeper so offending, shall, in addition to the punishment prescribed in this section, be subject to a forfeiture or suspension of his license as hereinafter provided.

Sec. 249. Proceedings to Revoke License. If any coffee house keeper shall be convicted in a court of competent jurisdiction of violating any provisions of this ordinance, and a copy of the judgment of conviction be certified to the Board of Commissioners, the said board shall have the right and power, by order entered on its journal, to revoke and forfeit the license of such coffee house keeper or suspend such license and the right to do business thereunder for such length of time as the board may deem proper, and no appeal from such judgment of conviction shall operate to suspend the power of the Board of Commissioners to revoke or suspend a license as provided in this section. If the Board of Commissioners shall be informed, or have reason to believe, that any provision of this ordinance has been violated or is being violated by any coffee house keeper or his agent or employee, whether such coffee house keeper has been convicted of such violation or not, the said board shall have the right and power to hear evidence of such violation, and if the board be satisfied upon such evidence that such coffee house keeper, his agent or employe, has violated any provision of this ordinance, the board shall, by order entered upon the journal of its proceedings, revoke and forfeit the license of such coffee house keeper or suspend his license and the right to do business thereunder for such time as the board may deem proper; provided, however, that in every instance where the coffee house keeper has violated section 20, (244 Rev. Ord.) of this ordinance by keeping open his coffee house on Sunday or by selling, giving away or delivering any beer, ale, spirituous, vinous or malt liquors, near beer, coca-cola or other soft drinks, on Sunday, his license shall be revoked by the Board of Commissioners. Before such hearing is had, the board will give the coffee house keeper at least twenty-four (24) hours notice of the time and place of such hearing and he shall be entitled to be present in person or by counsel and to offer testimony in his behalf. The decision of the Board of Commissioners revoking or suspending a coffee house license shall be final and no appeal shall be taken therefrom. If a coffee house license be revoked, no new license shall be granted to the same person for a period of twelve (12) months, and if such person be employed in any other coffee house, such employment shall be cause for the revocation or suspension of the license of the coffee house thus employing him. Under no circumstances shall the City, the Mayor or any Commissioner or employee of the City be liable in damages to any person by reason of the revocation or suspension of any coffee house license as herein provided.

Sec. 250. If any person, firm or corporation, to whom a coffee house license is granted, shall continue to operate or conduct his coffee house after his license has been revoked, or during the time for which it has been suspended, as provided in section 24, (Sec. 249 Rev. Ord.), of this ordinance, he shall be subject to the same punishment as provided in section 26, (251 Rev. Ord.), of this ordinance, for conducting a coffee house without a license and each day he shall so operate and conduct his coffee house shall be a separate offense.

Sec. 251. Coffee House Without License—Penalty. If any person shall conduct or operate a coffee house without a license therefor, as required by ordinances of the City, or if any person, other than an agent or employee of a licensed coffee house keeper acting within the scope of his employment, shall sell or otherwise dispose of whiskey, beer, ale, or any spiritutous, vinous or malt liquors

without a license therefor as required by ordinances of the City, such person shall be fined not less than twenty (\$20.00) dollars nor more than one hundred (\$100.00) dollars, or be confined in the City Jail not less than ten (10) nor more than fifty (50) days for each offense, or both so fined and imprisoned in the discretion of the court or jury trying the case.

Sec. 252. License a Privilege. Each coffee house license shall be granted and issued subject to all the provisions and conditions of this ordinance and shall be deemed a mere privilege granted to the licensee with the distinct understanding and agreement that a part of the consideration for the granting of such license is that the holder thereof shall strictly observe and obey the laws of the city relating to coffee houses and that, in case of their violation in any respect by such licensee, his license shall be forfeited or suspended by the Board of Commissioners as provided in this ordinance; and the acceptance of any coffee house license, by the licensee shall be deemed an agreement on his part to obey and abide by all the terms and provisions of this ordinance.

Sec. 253. Ordinances Repealed. All ordinances and parts of ordinances in conflict herewith and particularly Ordinances Nos. 339 and 344 are hereby repealed.

Sec. 254. Closed by Mayor—When. Whenever, in the opinion of the Mayor, a state of riot or lawlessness exists in the City of Lexington, from which there is imminent danger of injury to life or property, and such danger is likely to be increased by the sale of intoxicating liquors, the Mayor is authorized by his written proclamation, to direct and require all saloons and coffee houses to be closed and to forbid and prohibit the sale or gift of intoxicating liquors by retail as long as such proclamation is in force. Said proclamation shall become effective as to any person to whom actual notice thereof may be given, immediately upon the giving of such notice by the service of a written copy thereof, and the same shall remain in force until revoked or suspended by similar proclamation of the Mayor.

Sec. 255. While the proclamation, mentioned in Section 254 is in force it shall be unlawful for any person to keep open a saloon or coffee house, or to sell or give away spirituous, malt or any other kind of intoxicating liquors in retail quantities.

Sec. 256. Penalty. Any person, firm or corporation violating these ordinances (Secs. 254 and 255 Revised Ordinances) shall be fined not less than five (\$5.00) dollars nor more than fifty (\$50.00) dollars for each offense.

Sec. 257. Parts of City Where Liquors Not to be Sold. On and after March 1st, 1914, it shall be unlawful for any person to set up or operate any coffee house or saloon, or to sell or otherwise dispose of any spirituous, vinous or malt liquors within that portion of the City of Lexington described as follows:

Beginning at the south side of Main and Deweese streets; thence north on Deweese street along the east side of Deweese street to the north side of Short street; thence north or east along both sides of Deweese street to the north side of Constitution street; thence along Constitution street from the west side of Spruce street along both sides to the eastern track of the Chesapeake and Ohio railroad; thence south along the Chesapeake and Ohio railroad tracks to the west side of Main street; thence west on Main street, excluding both sides of Main street from the Chesapeake and Ohio railroad to Deweese street, to the point of beginning.

Sec. 258. On and after March 1st, 1914, no license shall be issued by the City of Lexington or any official thereof to any person or persons to set up or operate a saloon or coffee house or to sell, or otherwise dispose of any spirituous,

vinous or malt liquors within that portion of the City of Lexington described in section 1 of this ordinance (Sec. 257 this revision.)

Sec. 259. **Penalty.** Any person or persons who shall violate any of the terms or provisions of this ordinance (Sections 257 and 258 this revision), shall, upon conviction thereof, be fined not less than fifty (\$50.00) dollars nor more than one hundred (\$100.00) dollars for each offense.

Sec. 260. No original or renewal license shall be issued by the City Clerk for any coffee house hereafter to be located on Main street, from Broadway to Walnut street (save bona fide hotels), and on Spruce, Clark, Wickliffe, East Short, Wilson and Megowan streets.

Sec. 261. It shall be unlawful for any person to set up or operate any coffee house or saloon, or to sell or otherwise dispose of any spirituous, vinous or malt liquors within four (400) hundred feet of the campus or grounds of the State University, in Fayette County, Kentucky.

Sec. 262. Any and all licenses heretofore granted by the City of Lexington, or this Board of Commissioners, to any person or persons, permitting the operation of any coffee house or saloon within the territory above described, are now revoked and held for naught, and said licenses are hereby cancelled, and the City Treasurer of the City of Lexington is hereby ordered and directed to refund and pay to said persons so taking out said licenses, an amount equal to five-sixths (5-6) of the amount paid into the City Treasury by them or any of them.

Sec. 263. Any person or persons who shall violate any of the terms or provisions of sections 261 and 262, shall, upon conviction thereof, be fined not less than fifty (\$50.00) dollars, nor more than one hundred (\$100.00) dollars for each offense.

CHAPTER 8.

MARKET HOUSE AND MARKET MASTER.

Sec. 264. **Opened. When.** The Market House shall be kept open daily (except Sunday) from four (4) a. m. to six (6) p. m., except that on Saturdays the Market House shall be kept open until ten (10) o'clock p. m.

Sec. 265. **Rent—How Payable.** The stalls in the Market House shall be rented as follows, rent payable in advance: twenty-five (\$25.00) dollars per quarter three (3) months; eight dollars (\$8.50) and fifty cents per month, fifty (50) cents per day. Payment of stall rent in the Market House shall not exempt the occupant or lessee from any license tax required by the License Ordinance.

Sec. 266. **Market Master—Election and Qualification—Bond.** There shall be elected by the General Council on the second Thursday in November, 1895, and every two years thereafter, a Market Master, who shall hold his office for two years, and until his successor has been elected and qualified. He shall take the oath required by the Constitution of Kentucky, and shall, before he enters upon the performance of his duties, execute a bond to the City of Lexington in the sum of five hundred (\$500.00) dollars, conditioned that he will faithfully execute the duties of his office and care for all property belonging to the City of Lexington coming into his hands, and to faithfully account for and pay over to the city all money collected by him for the City of Lexington, and at the end of his term deliver to the city or his successor in office, as he may be directed, all property of every kind and description belonging to the city and remaining in his possession at the end of his term. (See powers and duties of Commissioner of Public Property.)

Sec. 267. **Stalls—Manner of Renting.** The Market Master shall, on the first day of January in each year, rent out the stalls in the market house to persons suitable to occupy same, giving the preference to persons who have rented said stalls during the preceding year and promptly paid rent for same. Said stalls shall be rented for a period of one (1) year, subject to forfeiture for non-payment of rent and license, or violation of the rules governing the market house and the conduct of the market therein.

Sec. 268. **Market Master—Duties.** The Market Master, within two (2) days after the renting of the stalls as required by the preceding section, shall make out and file with the Treasurer and Auditor a certified list of the stalls rented, giving the number of each and the name of the person to whom rented and the amount of rental charged for each stall. He shall have prepared by the City Engineer a diagram, showing the location of each stall, the dimensions and number of same. A copy of said diagram shall be filed with both Treasurer and Auditor, and shall be preserved in their respective offices.

Sec. 269. The Market Master shall rent all stalls that become vacant during the year, charging therefor at the regular rate from the time of renting to the first day of the succeeding January. He shall have authority to rent any vacant stall for a single market day and collect for the same the sum of fifty (50) cents. He shall give a receipt to the person from whom the same is collected, and make an entry of the same in a book kept for that purpose.

Sec. 270. **Fish—Sale of Allowed.** The sale of fresh fish is hereby permitted and allowed in the market house.

Sec. 271. **Settlements by Market Master.** It shall be the duty of the Market Master on Monday of each week, to turn over to the Treasurer all monies

collected by him for stall rent; and it shall be the duty of the Treasurer to give him a receipt for the same, countersigned by the Auditor. A duplicate stub of such receipt shall be kept on file in both the Treasurer's and Auditor's office. The Treasurer, Auditor and Market Master shall keep an account with the annual renters of each stall showing the charges against said renters, and amount of all payments of rent by each of said renters. The Market Master when turning over to the Treasurer money collected for daily stall rent, shall file an itemized statement, showing the number of stalls rented, the persons to whom they were rented, the day upon which they were rented, and the amount collected as rental; which statement shall be kept on file in the Treasurer's office.

Sec. 272. License to Sell Meat—No Authority to Sell in Market House.— A license authorizing a person to carry on a meat store in the City of Lexington shall not be construed to authorize such person to sell any meat in the market house, unless such person be also an annual renter of a stall in the market house.

Sec. 273. Renters to Vacate—When. If any person renting a stall in the market house fails to pay quarterly installments of rent for ten (10) days after the same has become due, it shall be the duty of the Market Master to take possession of said stall and re-rent the same, and any person who shall refuse or fail to vacate said stall upon the demand of the Market Master, shall be deemed guilty of trespass; and upon conviction shall be fined ten (\$10.00) dollars for each day he shall so keep possession of said stall.

Sec. 274. Animals or Fowls—Alive or to Dress Forbidden. It shall be unlawful for any person to butcher, dress or clean any animals or fowls in the market house, or to keep, offer for sale or to sell any live fowls therein. Any person violating this section shall be fined three (\$3.00) dollars for each offense.

Sec. 275. Liquor Not to be Drunk In. Any person who shall bring any whiskey, beer or other intoxicating liquor into the market house for the purpose of drinking the same, or shall drink such liquor in the market house, shall be fined five (\$5.00) dollars for each offense.

Sec. 276. Sleeping or Loud Language Forbidden in. It shall be unlawful for any person to lounge or sleep on any counter in the market house, or to indulge in any loud, boisterous, profane or obscene language in the same. Any person violating this section shall, upon conviction, be fined not less than three (\$3.00) dollars, nor more than ten (\$10.00) dollars.

Sec. 277. Inspect Produce—Market Master to. It shall be the duty of the Market Master to inspect all meat, fowls, butter, produce, and every other article of food exposed for sale in the market house, and if he finds the same to be tainted or unwholesome he shall condemn the same and cause it to be removed to the Potters field. He shall also cause a warrant to be issued against the offender, and any person convicted of bringing into the market house or offering for sale therein any tainted, unwholesome, or impure articles of food shall, upon conviction, be fined not less than five (\$5.00) dollars nor more than fifty (\$50.00) dollars for each such offense.

Sec. 278. Scales Tested. Whenever the Market Master shall have reasonable grounds to believe that any scales or measures used in the market house are not correct, it shall be his duty to at once cause the same to be tested by the Public Weigher.

Sec. 279. Rules Adopted—Market Master's Duties. It shall be the duty of the Market Master to adopt all necessary rules and regulations for the opening, closing and proper conduct and regulation of the market. It shall be his duty to keep the market house clean and well swept, to preserve order therein and see that

all ordinances and rules for the government of the market and market house are strictly and impartially enforced. And his monthly installment of salary shall not be paid until the Mayor shall certify in writing that he has performed the duties of his office in accordance with the rules and ordinances regulating the same.

Sec. 280. **Regrating or Forestalling Forbidden.** Any person guilty of regrating (that is, buying or bargaining for provisions in the market to sell them again in the market or in the city) or forestalling (that is, buying, contracting or bargaining for any provisions coming to the market, or dissuading persons from bringing provisions there for sale), shall be fined twenty-five (\$25.00) dollars for each offense, one-half of which shall be paid to the informer.

Sec. 281. Any person buying or selling or laying aside, or having laid aside, any article of provision in the market house before the opening shall be fined three (\$3.00) dollars for each offense.

Sec. 282. **Transfer—Written Consent Required.** No renter of a stall shall be authorized to transfer his right to the use of a stall without the written consent of the Market Master and the Mayor, and any such transfer without the consent of the Market Master and the Mayor shall confer no authority to use or occupy a stall.

Sec. 283. **Renters—Duties of.** Each renter of a stall shall keep the same clean and in good condition. He shall not permit any garbage, decayed vegetables or any offensive or unsightly matter to remain in or about the stalls. At the close of each market the renters of each stall shall remove all garbage, vegetables or other matter from the market house, but nothing in this section shall be construed to authorize any person to deposit the same upon the streets or sidewalks of the city. Any person violating any of the provisions of this section shall be fined three (\$3.00) dollars for each such offense.

Sec. 284. **Sidewalks Adjoining—Lights Used.** No person shall be authorized to sell or expose for sale any article of food or merchandise upon any of the adjacent sidewalks or approaches to the market house. No light shall be used in the market house except gas and electric light.

Sec. 285. (Salary—See section 415.)

CHAPTER 9.

OFFENSES AND PUNISHMENTS.

Sec. 286. **Indecent Advertisements.** It shall be unlawful for anyone to place or cause to be placed, in any street or alley or on any wall, fence or other place exposed to public view within the city limits, any indecent or gross, painted, printed or written advertisement, bill or notice of professional skill or remedies of treatment of what are usually called secret diseases, or to leave or cause to be left any such notices, bills or advertisements, whether inclosed in an envelope or unclosed, in any yard or premises attached to any premises, dwelling house of the city or under any door, or to give or cause to be given to any person about such dwelling house or premises any such notices, bills or advertisements. For a violation of any provisions of this section, the offending party shall be fined not less than fifty (\$50.00) dollars nor more than one hundred (\$100.00) dollars.

Sec. 287. **Bicycles—Unlawful Use Of.** It shall be unlawful for any person to use a bicycle, tricycle or any similar machine on any of the public ways of the City of Lexington without having in connection with such bicycle at all times a gong of sufficient sound, and so used to warn persons of its approach, and when such bicycle is used between sunset and sunrise a lighted lantern shall be placed on same so conspicuously as to warn persons of its approach. It shall also be unlawful for any person on a bicycle to ride on any sidewalk within the city. Or on any street at a greater speed than ten (10) miles an hour. A person violating any of the provisions of this ordinance shall be fined ten (\$10.00) dollars for each offense.

Sec. 288. **Cistern—Unlawful Use Of.** If any person shall take water from a public cistern for any purpose other than to extinguish fires, or shall open or leave uncovered a public cistern or catch basin, he shall be fined twenty-five (\$25.00) dollars for each offense.

Sec. 289. **Cellars—Unlawful Acts Concerning.** It shall be unlawful for any person to permit his cellar door or cellarway on any public way in said city to be left open at any time. It shall be unlawful for any person to permit any cellar door, cellarway or grating to any vault or in any public way in said city, belonging to premises owned or occupied by him, to be in an insecure condition as to endanger passers-by. It shall be unlawful for any person to place or maintain on any sidewalk, street or alley any cellar door, cellarway or steps leading into any cellar door or cellarway that is otherwise than level with the adjacent pavement and that extends more than four feet from the line of the adjoining lot. All cellars shall be kept dry and well aired; free from standing water, putrifying and noxious vapors and smells; and during the months of June, July, August and September, well sprinkled with lime or some other disinfectant when necessary. Any person violating any of the provisions of this section shall be fined not less than five (\$5.00) dollars nor more than twenty-five (\$25.00) dollars for each offense.

Sec. 290. **Disorderly Conduct.** Whoever shall be guilty of any disorderly conduct in the City of Lexington shall be fined not less than five (\$5.00) dollars nor more than twenty-five (\$25.00) dollars.

Sec. 291. **Bitch Dog.** It shall be unlawful for the owner or keeper of any bitch dog to permit her, when proud or rutting, to run at large in the city. Any person who shall violate this section shall be punished by a fine of not less than one (\$1.00) dollar nor more than ten (\$10.00) dollars for each offense.

Sec. 292. **Biting Dog.** It shall be unlawful for any person to keep or harbor within the city limits a dog that shall bite or fiercely attack any person while outside of its owner's yard or inclosure, and any person who shall violate this section shall be fined not less than one (\$1.00) dollar nor more than fifty (\$50.00) dollars for each time that such dog shall bite or attack a person as provided in this section; but this section shall not apply where a person shall break into or enter, without permission, the premises or inclosure of the owner of such dog and be pursued therefrom and attacked or bitten by the dog.

Sec. 293. **Indecent Exposure of Person.** Any person who shall expose his or her person indecently, or cause any person to do so within the city limits, shall be fined twenty (\$20.00) dollars for each offense.

Sec. 294. **Animals—Acts Toward Forbidden.** Any person who shall ride or drive a horse or other animal in any street or alley at a rate faster than eight (8) miles an hour, or any person who shall in the street, run, race or gallop a horse, mule or other animal, or start one for that purpose, or turn loose one that is saddled or bridled, or who shall, in a street or open lot, put a stud horse or ass to a mare, or use one as a teaser, or permit such animals to be so put in a street or open lot, shall be fined ten (\$10.00) dollars.

Sec. 295. If any person shall, within the City of Lexington, unnecessarily or cruelly beat, torture, use, or otherwise mistreat any horse, beast, or other animal, whether his own or that of another, he shall be fined not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars.

Sec. 296. If any person shall, in the City of Lexington, unlawfully kill, disfigure, maim, poison or attempt to administer poison to any animal not his own, he shall be fined not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars.

Sec. 297. Any person who shall leave or cause to be left any wounded animal, diseased or worn out mule or horse on any street, alley, lot or the commons to die a lingering death, shall, for each offense be fined not exceeding fifty (\$50.00) dollars.

Sec. 298. It shall be the duty of the Police Officers of the City of Lexington to aid any member of the "Kentucky Humane Society for the Prevention of Cruelty" in the arrest of any person or persons that may be in the act of violating any of the three preceding sections, and of the General Statutes of Kentucky, any policeman failing to perform the duty required of him in this section, shall be fined five (\$5.00) dollars for each offense.

Sec. 299. It shall be unlawful for any person to sell by public auction any loose animal on any street, alley or public highway within the City of Lexington, or to expose for sale thereon animals in droves, herds or flocks; each and every violation of this section, shall be punishable by a fine not exceeding twenty-five (\$25.00) dollars.

Sec. 300. **Gas Lamp, Etc., Injury To.** Any person who shall injure or deface any public gas lamp or post or other public lamp or post or any public fixtures pertaining to any of the above, or shall without authority interfere therewith so as to light or extinguish the light, or cause or to prevent the escape of gas from such gas pipes or other fixtures for conveying gas in the streets, or any person who shall cut or break any electric light wire for the purpose and with the intention of extinguishing any electric light, used for lighting the public street, or who shall otherwise injure any such electric light, shall be fined not less than three (\$3.00) dollars, nor more than fifty (\$50.00) dollars.

Sec. 301. **Gun-Firing in City.** No person except policemen and military men in the discharge of their duties shall fire any gun or pistol within the city limits, unless the same be done in defense of person or property. A violation of this section shall subject the offender to a fine of not less than three (\$3.00) dollars, nor more than fifteen (\$15.00) dollars.

Sec. 302. **False Weights.** If any person shall knowingly sell in any market house or the spaces connected therewith, or in any store, grocery, coal yard and in any other place anything for a greater than the true weight or measure, they shall be fined not less than five (\$5.00) dollars, nor more than twenty-five (\$25.00) dollars for each offense.

Sec. 303. **Damaging Public Property.** Any person who shall injure, damage or deface the court house or jail, building or market house, hospital, university, college, seminary or school house, church or place of public worship; or any property, furniture, fixture, fence or enclosure pertaining to either, or any tree, plant or shrub on public grounds, or any box or plant thereon, or any public pump, post or other public property, shall be fined not less than two (\$2.00) dollars, nor more than fifty (\$50.00) dollars for each offense.

Sec. 304. **Trespassing.** If any person, shall, in the City of Lexington, enter into or upon the enclosed land of another, without the permission of the owner, or tenant in possession, and shall leave open any gate belonging to the enclosure, or shall put down or remove any portion of the fence, surrounding the land, so that cattle may get into the premises, or shall enter into any garden or orchard, and take or carry away any fruit or vegetables without the consent of the owner thereof, shall be fined in a sum not less than five (\$5.00) dollars, nor more than twenty-five (\$25.00) dollars for each offense.

Sec. 305. Whoever shall commit any trespass upon the plat of ground on Cheapside appropriated to the John C. Breckinridge statue, pedestal, fountain, curbing, grass or any other thing that may be now upon said plat of ground, or may be placed hereafter thereon, shall, upon conviction therefor be fined in any sum not exceeding fifty (\$50.00) dollars. And an entry upon said plat of ground without the consent of the said association shall be deemed a trespass within the meaning of this ordinance.

Sec. 306. Any person who shall be found loitering, eating, sleeping or wandering upon the premises of any other person or upon the premises of any railroad company or other corporation without permission from the owner or occupant of said premises or other lawful excuse therefor, shall be fined in any sum not exceeding five (\$5.00) dollars.

Sec. 307. **Street Car in Motion on Steps Forbidden.** It shall be unlawful for any person to be in or remain on any step of any street car while said car is in motion on any of the streets of the City of Lexington. Any person found violating any of the provisions of this section shall be fined two (\$2.00) dollars for each offense.

Sec. 308. **Street Car or Train.** Any person jumping on or off any moving train or street car, while the same is in motion within the city limits, shall be fined three (\$3.00) dollars for each offense.

Sec. 309. **Cards—Selling to Minor.** Any person who shall sell or otherwise furnish playing cards or dice to any minor shall, upon conviction, be fined in any sum not exceeding three (\$3.00) dollars.

Sec. 310. **Minor in House of Ill Fame.** Any keeper or inmate of a house of ill fame who shall permit a minor under seventeen (17) years of age, who

does not reside in said house, to enter the same, shall be fined ten (\$10.00) dollars for each offense.

Sec. 311. **Ball Playing on Street.** No person shall play baseball, football, or any other games of ball, upon any street or public place within the city limits, under a penalty of five (\$5.00) dollars for each offense.

Sec. 312. **Sling Shots Forbidden.** Any minor who shall use gum or leather strings for the purpose of throwing stones, shot, or other hurtful missiles, within the city, and any person who shall sell or furnish any minor with any such sling shall be fined not less than two (\$2.00) dollars, nor more than ten (\$10.00) dollars.

Sec. 313. **Drunk.** Any person convicted of the offense of being drunk shall be fined not less than one (\$1.00) dollar, nor more than five (\$5.00) dollars. (See Section 3749 Kentucky Statutes.)

Sec. 314. **Drunkard.** Any person who shall become an habitual drunkard and neglect his business, or fail to provide for his family, shall, upon conviction, be fined not less than five (\$5.00) dollars, nor more than fifty (\$50.00) dollars; and the Police Judge may also in his discretion, confine such person in the City Jail until he becomes thoroughly sober.

Sec. 315. **Breach of Peace by Noises.** Any person who shall, within the city limits, by cries, songs or noises of any description, disturb the peace and tranquility of the city, shall be fined in any amount not exceeding ten (\$10.00) dollars.

Sec. 316. **City Limits Posts—Disturbing.** Any person who shall injure, deface, remove, cover up, or in any way disturb any of the stone posts to designate the city limits, shall be fined twenty-five (\$25.00) dollars.

Sec. 317. **Indecent Acts.** Any person who shall, within the city limits, commit any indecent, obscene or lewd act in public, or in such a situation that ordinary passersby may see the same, or who shall utter any bawdy, lewd or obscene words within the hearing of any other person, or expose to view in any street, alley or public place, any obscene print, picture or other indecent exhibition, shall be fined fifty (\$50.00) dollars and imprisoned in the City Jail not less than ten (10) days nor more than one (1) year.

Sec. 318. **Animal Fights.** The fighting of dogs, chickens and other animals in the City of Lexington is hereby prohibited. Any person who shall be present at and abet or encourage any such fights; and any person who shall suffer or permit any such fights upon his premises; and any person who shall bet any money or other things of value upon the results of any such fights shall, upon conviction, be fined fifteen (\$15.00) dollars.

Sec. 319. **Sidewalk Congestion.** If two or more persons congregate or stop upon any sidewalk in such a manner as to obstruct the free passage of same, and refuse to disperse or move on when directed by a policeman, they shall be forthwith arrested and, upon conviction, be fined in a sum not exceeding five (\$5.00) dollars.

Sec. 320. **Vehicles Standing on Streets.** It shall be unlawful for any carriage, night hawk or vehicle for hire to stand upon any street upon which electric car tracks are situated or for more than three (3) of such carriages, night hawks or vehicles to stand upon any square, except Cheapside, at the same time, unless such vehicle is under hire to some passenger or passengers and is at the time in actual service of such passenger. Where three (3) vehicles are permitted to stand upon any square, in violation of this section, the owner or driver

of the last vehicle or vehicles, in excess of three (3) coming up on the square shall be deemed guilty within the meaning of this section. Any person violating this section shall be fined not less than three (\$3.00) dollars, nor more than ten (\$10.00) dollars for each offense.

Sec. 321. Pipe Injuring. Any person, who shall injure, break, destroy or carry away any of the pipes or fixtures of any water-works company, gas company, or street railway company, doing business in Lexington, or shall deface or stop up or in any way tamper with or injure any hydrant belonging to such company, shall be fined not less than ten (\$10.00) dollars, nor more than fifty (\$50.00) dollars.

Sec. 322. Disturbing Religious Worship. Any person who shall disturb any religious assembly, or any other lawful gathering of people, or be guilty of any other violation of the peace or disorderly conduct not herein specifically provided, shall be fined in any sum not exceeding one hundred (\$100.00) dollars.

Sec. 323. Disorderly Houses. Any person who shall keep a disorderly house, or any house at which lewd, indecent and immoral acts are indulged in, or any house frequented by dissolute persons, or any house at which persons are permitted to be and engage in loud and boisterous conversation, songs, cries or other noises, or any house of prostitution, assignation or any other place where persons assemble to smoke opium, shall be fined in any amount not exceeding one hundred (\$100.00) dollars.

Sec. 324. Bells to Animals. It shall be unlawful for any person to attach a bell to any animal or vehicle driven through the streets of the city, except that this section shall not prohibit the use of bells on animals attached to sleighs. Any person violating this section shall be fined three (\$3.00) dollars for each offense.

Sec. 325. Trespass on Certain Buildings. It shall be unlawful for any person having no lawful business thereat to lounge about the door or in the immediate vicinity of any church, hall, the Public Library or Opera House, or on the grounds or buildings of any school or colleges, or to trespass in any manner upon buildings aforesaid or any of the grounds thereof, or in any manner interfere with any of the rules and discipline or good order of any of the aforesaid institutions. Any person violating any of the provisions of this section shall be fined not less than two (\$2.00) dollars, nor more than fifteen (\$15.00) dollars for each offense.

Sec. 326. College Grounds Trespass On. It shall be unlawful for any person, except teachers, pupils, janitors, trustees, or other persons having lawful business thereon, to go upon the grounds of any college, seminary, academy or school, and there engage in any game of ball or other sport, or there be or congregate without the permission of the principal officer or person in charge of said grounds and buildings. Any person violating the provisions of this section shall be fined not less than two (\$2.00) dollars, nor more than fifteen (\$15.00) dollars for each offense.

Sec. 327. Persons Summoned by Policeman. If any person, when legally summoned by a policeman to assist him in the execution of his office, shall fail or refuse to do so, he shall be fined fifteen (\$15.00) dollars, unless he can give a good reason for such failure or refusal.

Sec. 328. Interfering With Police. Any person who shall interfere with or obstruct a policeman in the discharge of his duty shall be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars.

Sec. 329. **Person Summoned by Fire Chief.** Any bystander, who being called on by the Chief of the Fire Department, or an officer acting in his stead, to assist at fire, and shall fail or refuse to do so, shall be fined not less than five (\$5.00) dollars nor more than twenty (\$20.00) dollars. And any person interfering with a fireman in the discharge of his duties, shall be fined a like amount.

Sec. 330. **Stone Throwing.** Any person who shall throw any stone or other hard substance in such a manner as to endanger any person or property, shall be fined three (\$3.00) dollars for each offense.

Sec. 331. **Vagrant.** If any able-bodied person be found loitering or rambling about, not having the means to maintain himself by some visible property, or who does not betake himself to labor or some honest calling to obtain a livelihood, or who, not possessing such means, has quit his habitation, leaving a wife or child without suitable means of subsistence, or who is idle or dissolute in habits without visible means of support, or who abandons his occupation or calling and goes about loafing, drinking or soliciting intoxicating drinks, food or money, shall be adjudged to be a vagrant. Any person adjudged to be a vagrant, shall be confined in the city jail or workhouse, for a period not exceeding a year.

Sec. 332. **Peddlers.** It shall be unlawful for any peddler or vendor of fruit, candy or other articles of merchandise, to stop in any place on the street, sidewalks or alleys of the City of Lexington, for a period of time longer than it may be necessary for him to wait on any person stopping him, and any peddler or vendor of fruit, candy or other articles of merchandise who shall stop for a period of time longer than it may be necessary to wait on a customer, and when notified by the police officers of the City of Lexington to move on, shall refuse to move on, or if it become necessary for any police officer to notify any one of said peddlers or vendors to move on more than once during the same day, then said peddler or vendor shall be forthwith arrested by said police officers, and for each violation of this ordinance, shall be fined in the sum of three (\$3.00) dollars.

Sec. 333. **Prostitute or Confidence Man, Associating With, Begging.** It shall be unlawful for any person to habitually associate with common prostitutes, or to be found begging or lying, or sleeping in, along or upon any public street, alley, park or other public place. It shall be unlawful for any person to loiter, or be found lying or sleeping in any stable, outhouse, building, warehouse, shed, railroad depot, or railroad car, or in or about any yard, mill or manufactory, within the City of Lexington, without having the permission of the owner or occupant thereof to sleep or be in such place. It shall be unlawful for any person being known or having the reputation of a confidence man, thief or felon, to be found loitering or unable to give a satisfactory account of himself in any shed, car shop, outhouse or railroad depot, or to be found conspicuously pressing his way into any crowd or collection of people, or to interfere, or attempt to interfere with, the free passage of any person or persons, along or upon any street, sidewalk, or alley, or in getting on or off of any street car, or to be found in any public place, unable to give a satisfactory account of himself. Any person violating this section shall be fined in a sum not less than ten (\$10.00) dollars, nor more than fifty (\$50.00) dollars; and in addition to the fine be confined in the City Jail not less than ten (10) nor more than thirty (30) days, in the discretion of the court.

Sec. 334. **Assessment—Persons Not Listing Property.** Whenever the Back Tax Assessor shall file with the clerk of the Police Court a statement giving the name and place of residence of a person, being a citizen of Lexington, who has failed and refused to list for taxation with the Assessor any property taxable

for municipal purposes for any year or years, said clerk shall issue a summons to such person to appear before the Police Court and show cause why he should not be so fined for such failure or refusal to list such property for taxation. For such failure or refusal the court may impose a fine from two (\$2.00) dollars to ten (\$10.00) dollars, in its discretion, and five (\$5.00) dollars for each subsequent failure or refusal, each day during which failure and refusal continues to be considered a separate offense.

Sec. 335. Noisy Demonstrations in Public Places. It shall be unlawful for any person in any public place of amusement to stamp his feet, make cat calls, whistle, hiss, hallo, or make any other noisy demonstrations except clapping of the hands; and unlawful to loaf in said place while the performance is in progress. Any violation of this section shall be punished by a fine of three (\$3.00) dollars, to be recovered by proceedings in the Police Court of the City of Lexington.

Sec. 336. Slaughter Houses. It shall be unlawful to erect or maintain any slaughter house, place where animals of any description are butchered, within one hundred (100) yards of any residence. Any person violating this section shall be fined ten (\$10.00) dollars for each day said place is maintained.

Sec. 337. Cattle Running at Large. The owner of any cattle who shall permit the same to run at large upon any of the streets, alleys or commons, or to trespass upon the premises, whether intentional or not, of any person, shall be fined three (\$3.00) dollars for each head of such cattle so running at large or trespassing. The word "cattle" in this section shall be construed to mean the same as the word "cattle" in the General Statutes of Kentucky. It shall be the duty of all police officers to take up and have confined in some livery stable or pound any of the animals mentioned in this section found at large upon the streets, alleys or commons of the city, or trespassing upon the grounds of any person, and hold the same until claimed by the owner, and the owner of such livery stable or pound shall be entitled to reasonable compensation for his keep of any such animals, to be paid by the owners of same, and he may hold said animals until his charges for keeping same are paid.

Sec. 338. Itinerant Doctor. It shall be unlawful for any traveling or itinerant doctor to practice medicine in any of its branches within the limits of this city. To open an office for such purpose or to announce to the public in any other way an intention to practice medicine, shall be an offense within the meaning of this ordinance. Provided, that nothing in this ordinance shall be construed as prohibiting any reputable physician or surgeon from any other place being called here, either to visit a patient or in consultation with any reputable physician of this city. Any person convicted of a violation of this section, shall be fined the sum of one hundred (\$100.00) dollars, for each day so engaged in the practice of medicine.

Sec. 339. Loud Noises in Street. It shall be unlawful for any person to make loud noises in the streets of the city, by ringing bells for auction or other sales or making other noises of like nature. Any person convicted of this offense shall be fined five (\$5.00) dollars for each offense, and each day shall constitute a separate offense.

Sec. 340. Signal Lamps—City Property. Any person who shall remove or destroy any of the signal lamps, barriers or tools placed, left at or around unfinished work on the streets or alleys of the city, or carry away any lumber, or other material belonging to the City, shall be subject to a fine of not less than fifty (\$50.00) dollars, nor more than one hundred (\$100.00) dollars and not less than sixty (60) days confinement at the work house. That any policeman or any other person who shall arrest or

cause to be convicted any person guilty of the offense named in the foregoing section shall be entitled to a reward of twenty-five (\$25.00) dollars, to be paid by the city.

Sec. 341. Sweepings or Vegetables on Streets, Etc. It shall be unlawful for any merchant, store-keeper or any other person to sweep or deposit upon the pavements of streets, paper, scraps, or other refuse or store sweepings calculated to clog the street gutters or to dirty the streets, or to burn paper, straw or other like material upon the street. It shall be unlawful for any person to throw or deposit decayed watermelons or watermelon rinds or other vegetable matter upon any of the streets or alleys of this city. Any violation of the provisions of this ordinance shall be punished by a fine of not less than three (\$3.00) dollars, nor more than ten (\$10.00) dollars for each offense, and each day said material is allowed to remain on the streets shall constitute a separate offense.

Sec. 342. Fish Vendors Offenses of. It shall be lawful for all persons who have procured license therefor to vend fish during each month in the year, but during the months of June, July and August, same shall only be kept for sale within ice chests inside of stand. Any fish dealer who permits obnoxious smells to exist around his stand or place of sale, or who vends tainted fish, or throws fish scales or other substance from fish in the gutters or on the streets or sidewalks of the city, shall, for each day either of said nuisances is permitted to exist, be fined not less than five (\$5.00) dollars, nor more than ten (\$10.00) dollars.

Sec. 343. Hauling Through Streets. Any person hauling, carrying, or transporting in any manner whatever, any hay, straw, ashes, garbage, dirt, coal, rock, sand, brick, offal, manure, or any material whatever that is calculated to fall upon and litter the streets of the city, shall convey, haul and transport said material in such wagons, carts or conveyances and with such appliances and safeguards as shall prevent said material from falling upon and littering the streets, alleys and sidewalks. Any person violating this section of City Ordinance shall be fined not less than two (\$2.00) dollars, nor more than five (\$5.00) dollars for each offense. Any person hauling, carrying or transporting in any manner, any hay, straw, ashes, garbage, dirt, rock, sand, brick, offal, manure, or any material whatever, over the streets, sidewalks or alleys of the city, and who shall allow any of the above material to fall thereon, shall be subject to a fine of not less than two (\$2.00) dollars, nor more than five (\$5.00) dollars, to be recovered by proceedings in the Police Court.

Sec. 344. Explosives. No person shall, in city limits, keep or suffer to remain in any house of which he or she has control more than thirty (30) pounds of gun or blasting powder or other explosive material at any one time. Nor shall any person keep in such house any quantity of such powder or explosives which is not well secured in canisters or kegs with tight stops. Nor shall any person carry a greater quantity of such powder or explosives than thirty (30) pounds, unless it shall be secured in tight canisters or kegs, under a penalty of five (\$5.00) dollars for each day that the offense shall continue.

Sec. 345. Coal-Stealing From Cart. Any person or persons employed as drivers of a wagon, cart or dray, who shall when employed in hauling coal from the railway depot or coal depot or coal yards, or for delivery to purchasers, give away or throw off from any wagon, cart or dray, of which he may be driver, without the consent of his employer, coal of any kind or quality for the purpose of supplying any other than the person entitled to receive said coal, shall be fined for each offense five (\$5.00) dollars.

Sec. 346. **Concealed Weapons—Shooting.** Any person who shall carry on or about his person a concealed deadly weapon, other than an ordinary pocket knife, shall, upon conviction thereof in the Police Court, be fined not less than fifty (\$50.00) dollars, nor more than one hundred (\$100.00) dollars, and confined not less than fifteen (15) nor more than sixty (60) days in the City Jail. And if any person shall throw or shoot any missile whereby any person or property shall be injured, he shall be fined five (\$5.00) dollars for each offense.

Sec. 347. **Police or Fireman Badge, Wearing.** Any person not a member of the Police Force or Fire Department who shall publicly wear a police or fire badge or uniform shall be fined ten (\$10.00) dollars for each offense.

Sec. 348. **Fire Alarm, Interfering With.** Any person who shall cut or otherwise obstruct the wires of the fire alarm system, or who shall break or in any manner tamper with or injure any of the fire alarm boxes of the city, or who shall maliciously turn in any fire alarm, shall be subject to a fine of not less than twenty (\$20.00) dollars, nor more than one hundred (\$100.00) dollars.

Sec. 349. **Catch Basins, Acts Unlawful.** It shall be unlawful for any person to throw or pour any slop, impure liquids, or offal of any kind, into the catch basins of the city, or to permit anyone in his employ to do so. Any person so offending shall be fined three (\$3.00) dollars for each offense.

Sec. 350. **Trees, Fence Injuring.** It shall be unlawful for any person in the City of Lexington to wilfully and unlawfully cut down, destroy, or injure by topping or otherwise, any fruit or shade tree of another, or pull down or open any fence or gate or break or cut any wire fence, or destroy or injure the vegetables, trees or shrubbery of another. A violation of this section shall be punished by a fine of not less than five (\$5.00) dollars, nor more than one hundred (\$100.00) dollars.

Sec. 351. **Selling Diseased Animal Flesh.** It shall be unlawful for any butcher or other person in the City of Lexington to sell the flesh of any animal dying other than by slaughter, or slaughtered when diseased. Any violation of this section shall be punished by a fine of not less than five (\$5.00) dollars, nor more than fifty (\$50.00) dollars.

Sec. 352. **Abusive and Insulting Language.** Whoever shall, in the City of Lexington, in the presence of any other person or persons, use any abusive or insulting language, intending thereby to insult such other person or persons, or with the intention to provoke an assault, shall be fined not less than twenty (\$20.00) dollars, nor more than fifty (\$50.00) dollars; and any person who shall print or publish any abusive language reflecting on the integrity or moral character of any person or persons, or with the intention of provoking an assault, he shall be fined not less than twenty-five (\$25.00) dollars, nor more than one hundred (\$100.00) dollars, or shall be confined in the City Jail for not less than one (1) nor more than twelve (12) months, or both so fined and imprisoned, in the discretion of the court. When such abusive language used by a man to woman, the highest penalty shall be imposed. The truth of the charges made may be proven in the defense.

Sec. 353. **Stables—Distance From Street.** It shall be unlawful for any person to erect a stable within seventy-five (75) feet of any public street or thoroughfare other than an alley, without having first obtained the consent of the Mayor and General Council, after application therefor in writing shall have been made to the Superintendent of Public Works, whose duty it shall be to transmit and communicate said application to the General Council at its first meeting after the making of said application; specifying the name of the applicant, the owner and occupant of

the premises, the size and character of the building to be erected and the street and distance therefrom, on which said building is proposed to be located; provided, however, that the Superintendent of Public Works, with the approval of the Mayor, shall have the right to grant to the owner of a corner lot permission to erect a stable thereon, within the distance prohibited by this ordinance.

Sec. 354. Any stable erected within seventy-five (75) feet of any public street or thoroughfare of the city other than an alley, without permission of the Mayor and General Council having first been obtained as provided in the foregoing section, is hereby declared to be, and the same shall be, deemed a nuisance. Upon the commission of such nuisance and upon the attention of the Mayor being called thereto, he shall forthwith cause written notice to be served upon the owner or owners of said building, or upon the occupant of said premises, ordering and directing him to remove said building immediately; and if said building shall not be removed within ten (10) days after the service of said notice, or if the owner or owners thereof, or the occupant of said premises shall, after the service of said notice, permit or cause further work to be done toward the completion of said building, then the Mayor shall at once have a warrant issued for said owner or owners or upon the occupant of said lot and the penalty prescribed in the following section shall be enforced..

Sec. 355. Any person directing, authorizing or engaging in the construction of any stable in violation of sections 353 and 354, shall be punished by a fine of ten (\$10.00) dollars for each and every day that said violation continues, or by imprisonment in the City Jail for a period of not greater than thirty (30) days or by both such fine and imprisonment.

Sec. 356. **Cellars, Rubbish In or On Premises.** It shall be unlawful for any one owning, leasing or controlling property in the City of Lexington to have or keep in his cellar or on his premises an accumulation of paper, excelsior or other inflammable material, or pour ashes into, or keep the same in wooden boxes or barrels, or near the buildings or fences. Where boxes are placed in a cellar they must be stacked carefully upon one side leaving a passage-way from the front to the rear of the cellar.

Sec. 357. It is hereby made the duty of the Commissioner of the Department of Public Safety, and the members of the Fire Department under his direction, to examine all premises and notify the owners, lessees or persons in control thereof of any violation of the preceding section, and such persons so notified shall within two (2) days after receiving said notice remove said inflammable material from their premises, or cease using wooden receptacles for ashes, or placing same near the buildings or fences on his premises. And upon his failure so to do within two (2) days after receiving said notice, said owner, lessee or person in control of said property shall be fined in a sum not less than five (\$5.00) dollars, nor more than twenty-five (\$25.00) dollars.

Sec. 358. **Dogs Disturbing Peace and Quiet.** It shall be unlawful for any person to keep or harbor within the city limits any dog that barks or yelps or other wise makes such noise as to disturb the peace and quiet of the people in the neighborhood where the same is kept. Any person violating this section shall be fined not less than one (\$1.00) dollar, nor more than ten (\$10.00) dollars for each offense.

Sec. 359. **Engines—Offenses Concerning.** It shall be unlawful for any person, company or corporation owning, operating or controlling a line or lines of steam railway lying or operating within or through the City of Lexington, to cause or permit the steam whistle of any locomotive engine operating upon

such line of railway, to be sounded within the corporate limits of the said city, except in case of danger, or to permit the popping off of engines or the using blowers on air pump upon engines while they are standing.

Sec. 360. It shall be unlawful except in case of danger for any agent or employe of any such person, company or corporation to sound or cause to be sounded, within the corporate limits of said City, the steam whistle of any locomotive engine.

Sec. 361. Any person, company or corporation violating section 359, shall, for each offense, be fined in any sum not less than five (\$5.00) dollars, nor more than one hundred (\$100.00) dollars, recoverable in the Police Court of said city.

Sec. 362. Any person violating section 360, shall, for each offense, be fined in any sum not less than five (\$5.00) dollars, nor more than fifty (\$50.00) dollars, recoverable in the said Police Court.

Sec. 363. It shall be unlawful for any railway company, or any officer, agent or employee of any railway company to use or operate or cause to be used or operated any locomotive engine within the limits of said city in such a manner as to produce and emit therefrom dense smoke or soot which shall damage property in said city, or be detrimental to the health or comfort of any person in said city or shall especially annoy the general public, and any such company, officer, employee or agent who shall knowingly use or operate or cause to be used or operated any locomotive engine within the limits of the said city, in such a manner as to produce and emit therefrom dense smoke or soot which shall damage property in said city, or be detrimental to the health or comfort of any person in said city, or shall specially annoy the general public, shall be guilty of an offense under this ordinance, and upon conviction thereof in the police court of said city shall be fined in any sum not less than five (\$5.00) dollars, nor more than one hundred (\$100.00) dollars.

Sec. 364. It shall be the duty of the Board of Health and the health officers of the city to see to the prompt enforcement of this ordinance and to this end it is made the duty of the several members of the police force to immediately notify the health officer of any and all violations of this ordinance, and it shall be the special duty of the health officer to cause all such offenders to be brought before the police court of said city to be dealt with according to law.

Sec. 365. **Hogs—Forbidden to Keep.** The keeping of hogs, shoats or pigs within the confines of the city is hereby prohibited and declared to be unlawful. A violation of the provisions of this section shall subject the offender to a fine of five (\$5.00) dollars and each day the said offense shall continue shall be deemed a separate offense.

Sec. 366. **Curfew Laws.** It is hereby made unlawful for any person under fifteen (15) years of age to be or remain in or upon any of the streets, alleys or public places in the City of Lexington at night after the hour of nine (9) o'clock p. m., from March 1st to August 31st, inclusive, of each year; and from September 1st to the last day of February, inclusive, of each year after the hour of eight (8) o'clock p. m., unless such person is accompanied by a parent, guardian or other person having the legal custody of such minor person, or is in the performance of an errand or duty directed by such parent, guardian or other person having the care and custody of such minor person, or whose employment makes it necessary to be upon said streets, alleys or public places during the night time after said specified hours. Any person violating the provisions of this section shall, on conviction, be fined in any sum not to exceed five (\$5.00) dollars for each offense, and stand committed until such fine and costs are paid.

Sec. 367. It is hereby made unlawful for any parent, guardian or other person having the legal care and custody of any person under fifteen (15) years of age, to allow or permit any such child, ward or other person under such age, while in such legal custody, to go or be in or upon any of the streets, alleys or public places in said city within the time prohibited in Section 366, unless there exists a reasonable necessity therefor. Any person violating the provisions of this section shall, on conviction be fined in any sum not exceeding one (1) nor more than ten (\$10.00) dollars for each offense, and stand committed until such fine and costs are paid.

Sec. 368. Each member of the police force, while on duty, is hereby authorized to arrest, without warrants, any person willfully violating the provisions of section 366, and retain such person for a reasonable time in which complaint can be made and a warrant issued and served. Be it further ordained that no child or minor persons arrested under the provisions of this ordinance shall be placed in confinement until they have first been taken home to ascertain the parents' wishes, and the parents shall have refused to be held responsible for the observance of the provisions of this ordinance by said minor person.

Sec. 369. It shall be the duty of the Police Judge, upon the arrest of any child or minor person where the parents or guardians have refused to become responsible for said minor person for violation of the provisions of section 366, to inquire into the facts of said arrest and the conditions and circumstances of such child or minor person, and if it shall appear that such child or minor person, for want of proper parental care is growing up in mendicancy or vagrancy, or is incorrigible, cause the proper proceedings to be had and taken as authorized and provided by law in such cases.

Sec. 370. **Spitting on Sidewalk or Public Place.** Spitting upon the sidewalk of any public street, avenue, park, public square, or place in the City of Lexington, or upon the floor of any hall, or office in any hotel or lodging house, which is used in common by the guests thereof, or upon the floor of any theatre, store, factory or of any building which is used in common by the public, or upon the floor of any street car or other public conveyance used as a common carrier of passengers, or upon the floor of any depot or station, or upon the station platform in said City is hereby forbidden.

Sec. 371. The corporations or persons owning or having the management or control of any such building, store, factory, street car or other public conveyance, depot or station platform are hereby required to keep permanently posted in each of said places a sufficient number of notices forbidding spitting upon the floor (calling attention to the provisions of this section.) And it shall be the duty of the Board of Health of the City to place or cause to be placed upon the street corners of principal streets in said City, signs directing the attention of the public to this ordinance.

Sec. 372. Whoever violates any of the provisions of section 370, shall be fined in any sum not exceeding five (\$5.00) dollars for each offense.

Sec. 373. **Signs on Poles and Sidewalks.** It shall be unlawful for any person, persons, firm or corporation to place any billboard or sign upon any sidewalk of the City or to nail or otherwise fasten said billboard or sign to any telephone, telegraph or other pole upon said sidewalk. Any person, persons, firm or corporation violating this section shall be fined not less than one (\$1.00) dollar nor more than ten (\$10.00) dollars.

Sec. 374. **Manhole, Dirt or Rubbish In.** Any person who shall place or deposit any night soil, garbage, dirt, rock or other rubbish in a manhole, shall be punished by a fine of not less than one (\$1.00) dollar, nor more than twenty-five (\$25.00) dollars.

Sec. 375. Drugs—Selling Poisonous. It shall be unlawful for any druggist, pharmacist, or other person to sell, give, or procure for another person, any morphine, opium, derivatives of opium, cocaine, chloral or other deleterious or poisonous drugs, chemicals, or like preparations, containing the ingredients of said drugs, except upon the written prescription of a reputable, regular practicing physician, duly licensed by the State of Kentucky, and after proper prescription therefor has been presented and before any sale, gift or other disposal by the said druggist, pharmacist, or other person, they shall affix to the bottle, box, vessel, or package containing same a label printed plainly written in the English language in which the contents or name of the article, and the name of the place of business of the seller, and it shall be the further duty of any such persons so selling or disposing of said drugs to keep a book in which shall be pasted the prescription upon which said sale was made, and in which shall be entered the name of the seller, and the name of the buyer, and the residence of the buyer, and the date thereof, which book shall be at all times open to any member of the police or detective force of the City of Lexington, Ky., to the coroner of Fayette County, and to any member of the Board of Health of the City of Lexington, Ky. No prescription issued in compliance with the provisions of this ordinance shall be filled the second time unless the same be reindorsed by the physician who originally issued the same, with the date of the reindorsement. Any druggist, pharmacist, or other person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and shall be fined not less than fifty (\$50.00) dollars, nor more than one hundred (\$100.00) dollars, and confined in the City Jail not less than ten (10) days, nor more than fifty (50) days.

Sec. 376. Druggists Selling Liquor. It shall be unlawful for any person, persons, firms or corporations, who are now conducting or operating, or who shall hereafter conduct or operate a drug store in the City of Lexington, Kentucky, to sell spirituous, vinous or malt liquors in any quantity in the same store room in which drugs and druggists' supplies are offered for sale at retail, and sold at retail except for medicinal purposes, and then in such cases only on the prescription of a regular practicing physician. Any person, persons, firm or corporation who shall violate the provisions of this ordinance shall be fined not less than twenty-five (\$25.00) dollars, nor more than one hundred (\$100.00) dollars for each offense.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Sec. 377. Fireworks. Any person firing cannon or anvils or discharging Roman candles, giant crackers, rockets, bombs or any other kind of fireworks within the city limits shall, upon conviction, be fined not less than ten (\$10.00) dollars, nor more than fifty (\$50.00) dollars and to imprisonment in the City Jail for not less than ten (10) nor more than thirty (30) days.

Sec. 378. It shall be unlawful for any person to sell by retail in the City of Lexington firecrackers, Roman candles or other fireworks of any kind or description. Any person violating the provisions of this section shall be subject to a fine of not less than ten (\$10.00) dollars nor more than fifty (\$50.00) dollars, or be imprisoned in the City Jail not less than ten (10) nor more than thirty (30) days, or both such fine and imprisonment.

Sec. 379. Groceries and Stores Closed on Sundays. Hereafter all grocery stores, butcher shops, meat shops and markets, and all fruit stands where groceries are kept for sale, shall be closed at all hours on Sunday, and it shall be unlawful for any person to keep open any such grocery store, butcher shop, meat shop or market, or any fruit stand where groceries are kept for sale at any time on Sunday or to sell, give away or deliver any articles therefrom. Any person who shall violate this section shall, upon

conviction, be fined not less than five (\$5.00) dollars nor more than ten (\$10.00) dollars for each offense.

Sec. 380. Vacant Lots Clear of Rubbish. The owners of all vacant lots shall keep same clean of weeds, hay, straw, ashes, tin cans, garbage, offal, manure, rubbish or other material useless or injurious to health, also the sidewalk or pavement, or place where pavement should be, or of right belongs in front or at the side of all vacant lots, free from the same weeds, etc., under a penalty of three (\$3.00) dollars to ten (\$10.00) dollars for each offense, after said owner shall have been notified in writing by the Chief of Police.

Sec. 381. Cattle Driving. It shall be unlawful for any person or persons to drive or cause to be driven upon any street of the City of Lexington any herd or drove of cattle or other stock, of ten (10) or more animals without having at least one (1) person as guard on the sidewalk on each side of the street upon which such cattle or stock are being driven, and at least one (1) person in the rear of such cattle or stock. Any person or persons driving or causing to be driven any cattle or stock upon any street of the City of Lexington, in violation of this section, shall be fined not less than one (\$1.00) dollar, nor more than ten (\$10.00) dollars for each offense.

Sec. 382. Fortune Tellers or Clairvoyant. Any person who shall, for pay or compensation, claim, pretend, or attempt to foretell the future, or predict coming events by means of fortune telling, spiritualism, palmistry or otherwise, or who shall, for pay or compensation, give or hold seances where the pretended spirits of deceased persons are brought into communication with living persons, shall, upon conviction, be fined not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars, and be confined in the City Jail ten (10) days for each offense. Hereafter no license shall be issued by the City Clerk to any clairvoyant, fortune teller, spiritualist, medium, palmist, hypnotist, mesmerist, nor other person claiming to have supernatural powers, or who claims or pretends to do any of the things mentioned in this section.

Sec. 383. Any person, firm or corporation publishing any newspaper in the City of Lexington, which shall, for pay or compensation, publish any notice or advertisement of any person claiming or pretending to do any of the things mentioned in section 382 shall, upon conviction, be fined not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars for each offense. The two foregoing sections shall not apply to authorized bureaus for the forecasting of the weather, nor to public entertainments at opera houses.

Sec. 384. Permanent Business on Street Forbidden. On and after March 1st., 1913, it shall be unlawful for any person, firm or corporation to maintain, carry on or conduct stationary or permanent fruit stands, boot black stands or any other business on any of the public streets, sidewalks or ways of the City of Lexington, and no license shall be issued to any person to conduct any business at any stationary or permanent stand on the streets or sidewalks of the City after March 1st., 1913. Any person violating this section shall be punished by a fine of not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars, and each day of such violation shall be deemed a separate offense.

Sec. 385. Glass, Nails, Etc. on Street. It shall be unlawful for any person to throw, drop or place upon any of the streets, sidewalks or public ways of the City of Lexington, any broken glass, bottles, wire, tacks or nails, unless such person immediately remove the same. Any person violating the provisions of this section shall be punished by a fine of not less than one (\$1.00) dollar, nor more than ten (\$10.00) dollars for each offense.

Sec. 386. **Snow on Sidewalk, Etc., Removal.** It shall be the duty of all occupants of lots in the city to remove the snow from the sidewalks in front thereof within twenty-four (24) hours after such snow shall fall. In case of vacant or unoccupied lots, it shall be the duty of the owners of said lots or the persons in control thereof to remove the snow as herein provided. Any person, firm or corporation violating this section by refusing to comply with same, shall be fined three (\$3.00) dollars for each offense and each day's failure to remove snow as herein required, shall be a separate offense.

Sec. 387. **Building on Sidewalk.** It shall be unlawful for any person to erect, keep or maintain on any street, sidewalk or alley, any house, fence, wall or building, or to enclose any sidewalk, street or alley, or a part of the same with any fence or wall, or in any manner whatever except as may be provided in this ordinance. Any person violating the provisions of this section, shall be fined not less than five (\$5.00) dollars, nor more than twenty-five (\$25.00) dollars, and each day that same shall continue shall be deemed a separate offense.

Sec. 388. **Injuring Pavement or Curb.** It shall be unlawful for any person to dig, break, displace or injure in any manner any pavement or curbing, except in making improvements to adjoining lots for public purposes. Whoever shall dig, displace or injure any pavement, sidewalk or curbing in making improvements to adjoining lots or for public purposes, shall replace the same in its original condition within twenty-four (24) hours after the completion of the work.

Sec. 389. **Obstructing Street or Sidewalk—Exceptions.** It is hereby made unlawful for any person, firm or corporation, to obstruct any public street or sidewalk, or any part thereof of any street or sidewalk, in the City of Lexington, by placing or depositing thereon, or causing to be placed or deposited thereon, any wagons, buggies, or other vehicles, barrels, boxes, merchandise of any kind, building materials or other movable things or articles of any kind; provided that occupants of store rooms may display their wares and merchandise, during the business hours, in front of their store rooms on two and one-half ($2\frac{1}{2}$) feet of the sidewalk on the property line side, where the walk is nine (9) feet or greater in width from property line to curbing; and merchants engaged in the sale of gasoline may use not exceeding two and one-half ($2\frac{1}{2}$) feet square of the sidewalk in front of their stores or garages next to the curb for the location of a gasoline pump, the supply tank to be buried in the ground under the walk.

Sec. 390. This ordinance shall not be construed to prevent or make unlawful, such temporary obstruction of sidewalks and streets as may be necessary for the purpose of the construction or repairs of buildings, if a permit therefor shall have been obtained in the manner required by ordinance of the City, and such obstruction continue no longer than reasonably necessary for such purpose, or the temporary use of streets by licensed livery stable keepers for storing vehicles of their patrons on court days, circus days, Saturdays, fair days, and other similar occasions, or the temporary obstruction of streets by merchandise in transition from one place to another; provided, that in no instance shall the use or obstruction of any street or sidewalk be longer than reasonably necessary for the purposes mentioned in this section, and if such use or obstruction continue longer than reasonably necessary, the person responsible therefor shall be liable to the penalty prescribed in this ordinance. Any person, firm or corporation violating the provisions of sections 389 and 390 shall be punished by a fine of not less than one (\$1.00) dollar, nor more than twenty-five (\$25.00) dollars for each

offense, and each day that any obstruction prohibited by this ordinance shall continue, shall be deemed a separate offense.

Sec. 391. **Gasoline—How Kept.** Any and all persons, firms or corporations handling or selling gasoline, benzine or other explosives, and not keeping same in tanks as prescribed by the laws of the city, shall keep said liquids and substances in barrels in locked warehouses constructed of brick or stone, which shall not be located within less than thirty (30) feet of any building not the property of such persons, firms or corporations. Any one violating this section shall be subject to a fine of not less than five (\$5.00) dollars, nor more than fifty (\$50.00) dollars.

Sec. 392. **Horses or Vehicles on Sidewalk.** It shall be unlawful for anyone to lead, ride, drive or place any beast of burden or vehicle, on any sidewalk otherwise than going to or from the premises occupied or owned by him or his employer.

Sec. 393. **Traction Engines Forbidden on What Streets.** It shall be unlawful for any person or persons to pull, drive or propel any traction engines, crushers or like vehicles that have corrugated tires or tires with lugs or spikes, upon or over any street of the City of Lexington, Kentucky, paved or constructed with asphalt, brick or wooden blocks. Any person or persons violating this section, shall be fined not less than five (\$5.00) dollars, nor more than twenty-five (\$25.00) dollars for each offense.

Sec. 394. **Chickens, Etc., Running at Large.** Any person or persons owning or having in their custody and control any chickens or fowls who shall permit same to run at large, or to go upon the grounds or property of another or beyond the bounds of the property of the owner or the person in control of the chickens or said fowls, shall be fined for each offense not less than one (\$1.00) dollar, nor more than five (\$5.00) dollars.

Sec. 395. **General Penalties.** The penalty for the violation of any of the provisions of any of the ordinances of the City of Lexington, where no other penalty is especially prescribed, shall be five (\$5.00) dollars for each offense.

Sec. 396. **Confined in City Jail—When.** All persons fined by the Police Court of the City of Lexington, Kentucky, for the violation of the charter or ordinances of said city, or the Statutes of the State of Kentucky, and who do not pay said fine together with the costs of said prosecution, shall be confined at hard labor in the City Jail of said city, until said fine and costs shall be worked out.

Sec. 397. **Prisoners Allowed 50 Cents Per Day.** All prisoners committed to the City Jail under these ordinances shall be entitled to the credit of fifty (50) cents per day, while so confined.

CHAPTER 10. ARTICLE 1.

BOARD OF COMMISSIONERS.

Sec. 398. **General Powers and Duties.** The duties of the commissioners of the several Departments of the City Government are determined and prescribed as follows:

The Board of Commissioners has and shall exercise all legislative, executive and administrative powers, functions and duties conferred by law upon the City or its officers, whether specifically enumerated herein or not. It shall make all orders for the doing of work, or the making or construction of any improvement. It shall levy all taxes, apportion and appropriate all funds, and audit and allow all bids, accounts, pay-rolls and claims, and order payment thereof. It shall make all assessments for the cost of street improvements, sidewalks, sewers and other work, improvement or repairs which may be especially assessed. It shall make or authorize the making of all contracts, and no contract shall bind or be obligatory upon the City unless made or authorized by ordinance or resolution adopted by the Board. All Commissioners of Departments and all officers and employes of the City are the agents of the Board, and all their acts shall be subject to review and approval or revocation by the Board. Every Commissioner or officer shall, from time to time, as required by law or ordinance, or when requested by the Board, or whenever he shall deem it necessary for the good of public service, report to the Board in writing respecting the business of his department or office or matters connected therewith.

Sec. 399. The Board may by ordinance or resolution, assign to a Commissioner, officer or employe, duties in respect to the business of any other department, office or employment, and such service shall be rendered without additional compensation.

Sec. 400. **Department of Public Affairs.** The Mayor shall have and exercise all the powers and perform all the duties conferred on him and prescribed by law or the ordinances of the City, not in conflict with the provisions of this ordinance. He shall be Commissioner of the Department of Public Affairs, and as such shall have general supervision and oversight over all departments and offices in the City; he shall be the chief executive officer and representative of the city, shall sign all contracts on behalf of the City and shall have charge of and cause to be prepared and published all statements and reports required by law or ordinance and not otherwise provided for. He will procure from all persons and corporations, operating public service utilities in the City, such reports as they may, by law, ordinance or otherwise, be required to furnish to the City, and place them before the Board of Commissioners for their information and consideration, and he will, whenever the City has the right to do so, cause the books, records and accounts of any such person or corporation to be examined and the result of such examination reported to the Board of Commissioners. He shall have charge and supervision over all public service utilities and all persons and corporations rendering service in the City under any franchise, contract or grant, and of the manner in which such service is rendered, and all matters and affairs pertaining to the public health. All notices of quarantine and release shall bear his signature.

Sec. 401. **Commissioner of Public Finance.** The Commissioner of Public Finance shall have charge of and supervision over all fiscal affairs of the City, including the assessment of property for taxation, collection of taxes, licenses, rentals and other revenues of the City, and the disbursement of the

City's funds. He will see that all collections are credited to, and all disbursements made from the proper funds. He will keep the Board of Commissioners advised of the condition of the various fund accounts of the City, including sinking funds and special assessment funds. He will have charge of and supervision over all accounts and records of the City, and will make all necessary inspections and audits thereof to see that they are accurately and properly kept.

Sec. 402. He shall have charge of the purchase, care and distribution of all supplies not otherwise provided for, and he will examine or cause to be examined, and report to the Board of Commissioners upon all accounts, payrolls and claims before they are allowed and paid, unless otherwise provided for by law or ordinance. He will, at the end of each month, cause to be prepared and published in the official newspaper, an itemized statement of the receipts and disbursements of the City for the month.

Sec. 403. The Commissioner of Public Finance shall, in person and by the appropriate officers and employes in his department, have all the powers and perform all the duties and functions prescribed by general laws relating to Cities of the Second Class, or which may be required by ordinance of this City, to be performed by the City Clerk, Treasurer, Auditor, Assessor, Delinquent Tax Collector, Back Tax Assessor and License Officer.

Sec. 404. **Commissioner of Public Safety.** The Commissioner of Public Safety shall have charge of and direction and supervision over, all matters and affairs pertaining to the Public Safety, and preservation of law and order and the protection of life and property, and of all employes, agents and agencies of the City designed for said purposes and assigned to that department by ordinance. The Commissioner of Public Safety will, in person, and by the appropriate officers, agents and employes in his department, have all the powers and perform all the duties and functions prescribed and required by general laws relating to Cities of the Second Class or which may be required by ordinance of this City, to be performed by such officers, agents and employes.

Sec. 405. **Commissioner of Public Works.** The Commissioner of Public Works shall have charge of and supervision over all public work, cleaning and oiling streets, street improvements, construction of sewers, bridges, viaducts, public buildings and all other public works and improvements and the acceptance thereof, and repairs of same. He shall have all the powers and perform all the duties prescribed and required by law relating to Cities of Second Class, (or any ordinance of the City of Lexington), or which may be prescribed by ordinance of this City for the Board of Public Works, or Superintendent of Public Works and shall perform any other duties required of him by law or ordinance.

Sec. 406. **Commissioner of Public Property.** The Commissioner of Public Property shall have charge of and supervision over all matters relating to weights and measures, public scales, and all public grounds, buildings, parks and other public property and all employes and agents of the City employed in connection therewith, not specifically assigned to some other department, and he shall have, exercise and perform all ministerial powers and duties with reference to the public parks of the City, prescribed by general laws of Cities of the Second Class for the Board of Park Commissioners in such Cities.

Sec. 407. **Additional Duties.** In addition to the duties prescribed in the foregoing sections, the Commissioner of each department shall have charge of and supervision over each of the functions assigned to his department by ordinance, and all functionaries, agents, employes, property, accounts, records and other thing or matter connected therewith or pertaining thereto unless speci-

fically assigned to some other department. He shall give his personal attention and supervision to each branch or function of his department, and will see that all agents and employes perform their duties properly and faithfully. He will see that all laws, ordinances and orders of the Board of Commissioners relating to his department are obeyed and complied with and will report to the Board all dereliction on the part of any employe in the performance of his duty. He will examine and approve all claims, accounts or demands against the City arising in connection with his department, and will make all necessary examination and inspection of work, books and records pertaining to his department, and make due reports thereof to the Board whenever required by the Board or by any law or ordinance of the City. He will, at all times, keep the Board fully advised as to the status of matters pertaining to the functions of his department, and do and perform such other things, not inconsistent herewith, as may be necessary to insure best services to the City and a faithful and wise administration of his department.

Sec. 408. Except as otherwise provided by law or ordinance, the Commissioner of each department shall appoint or employ such assistants and employes as may be authorized by the Board and necessary to the efficient conduct of the service in said department.

Sec. 409. The Commissioner of each department shall make and enforce such rules and regulations, not inconsistent with law or the ordinances or rules and regulations adopted by the Board of Commissioners, as may be necessary to secure efficient conduct of the service of his department or the business in charge thereof.

Sec. 410. **Administrative Functions.** The administrative functions of the several departments of the City government are determined and classified as follows:

DEPARTMENT OF PUBLIC AFFAIRS.

Legal Department.
Utilities.
City Printing.
Public Library.
Municipal Magazine.
Health Department and sub-divisions.
Charities, Corrections and Morals.

DEPARTMENT OF PUBLIC FINANCE.

Purchasing and Storekeeping.
City Clerk.
City Treasurer.
City Auditor.
Assessor.
Delinquent Tax Collector.
Back Tax Assessor.
License Officer.

DEPARTMENT OF PUBLIC SAFETY.

Fire Department.
Police Department.
City Jail Employes.
Building Inspection.
Meter Inspection.

BOARD OF PUBLIC WORKS.

Street Cleaning.
Street Maintenance.
Street Paving and Construction.
Sewer Maintenance.
Sewer Construction.
Sewerage Disposal Plant.
City Engineer.
Supervising Engineer.

DEPARTMENT OF PUBLIC PROPERTY.

Weights and Measures.
Market House and Market Master.
Public Buildings and Janitors and Public Grounds.
Public Scales and Public Weigher.

Sec. 411. The Commissioner at the head of each department shall make up the year's budget for his department and these budgets shall be reported to the Board of Commissioners for final action in the making up of the complete budget.

Sec. 412. All functions, functionaries and affairs of the City not assigned by law or ordinance to some other department, are assigned and classified to the Department of Public Affairs.

Sec. 413. **Meetings.** The rear room on the second floor of the Hernando Building, located on East Main Street, formerly used as the meeting place of the Lower Board of the General Council is hereby designated as the meeting place of the Board of Commissioners, and the times for all regular meetings of the Board is hereby fixed to be held on each and every Monday at 10 o'clock a. m., unless the same shall fall on a legal holiday, in which event the meeting shall be held on the following day at the same hour.

Sec. 414. **City Building.** The City Clerk, in the official minutes or other records is hereby authorized to designate the Hernando Building for meeting place as "City Building."

CHAPTER 10. ARTICLE 2.

OFFICERS AND EMPLOYEES**DEPARTMENT EMPLOYEES**

Sec. 415. The various positions of employment in the several departments of the City of Lexington, the number of employes for the several positions, and their respective salaries and wages, are prescribed, designated and fixed as follows:—

DEPARTMENT OF PUBLIC AFFAIRS.

	Per Month.
One City Solicitor	\$208.33
One City Attorney	125.00
One Police Judge	100.00
One Secretary of Mayor	100.00
One Health Officer	150.00
One City Bacteriologist	50.00
One Laboratory Assistant	75.00
Two Sanitary Inspectors, each	80.00
One Caretaker of City Hopper	50.00
Four City Physicians, each	25.00
One Meter Inspector.....	Fees

DEPARTMENT OF PUBLIC FINANCE.

Auditor	\$150.00
Assistant Auditor	100.00
License Inspector	125.00
City Treasurer	150.00
Deputy Treasurer	83.33 $\frac{1}{3}$
City Clerk	166.66
Assistant City Clerk	83.33 $\frac{1}{3}$
Assessor	166.66
Deputy Assessor	83.33 $\frac{1}{3}$
Treasurer's Clerk	50.00
Auditor's Stenographer	50.00
Dog Catcher (when employed)	75.00
Back Tax Assessor.....	Commission
Delinquent Tax Collector	Commission

DEPARTMENT OF PUBLIC SAFETY.

One Jailer	\$166.66
One Deputy Jailer	75.00
One Engineer	55.00
One Assistant Engineer	55.00
One Quarryman	55.00
One Night Watchman	55.00
(See heading "Police and Firemen" for other employes of this department.)	

DEPARTMENT OF PUBLIC WORKS.

	Per Month.
One Clerk	\$ 75.00
One Engineer	150.00
One Assistant Engineer	100.00
One Rod Man	50.00
	Per Day.
One Foreman of Catch Basin Crew	\$ 2.00
Laborers (when employed) each	1.50

DEPARTMENT OF PUBLIC PROPERTY.

One Superintendent Public Parks	\$ 85.00
One Park Policeman	80.00
One Park Policeman	70.00
One Market Master	50.00
One Property Carpenter	50.00
One City Weigher	Fees
	Per Day.
Laborers (when employed) each	\$ 1.50

Sec. 416. Each employe provided for in this ordinance shall perform the duties usually and customarily incident, and pertaining to his position of employment, or which may be prescribed by law or ordinance and any other duties in his department, which may be required of him by the Commissioner thereof, or which may be required of him in any other department of the City, by the Board of Commissioners.

Sec. 417. The several employes of the City provided for in this ordinance shall receive pay for their services, during the time of their actual employment, at the rates fixed in sections 415, 458 and 464 and set opposite the names of the respective positions of employment, said compensation to be paid monthly, as other City accounts are paid.

Sec. 418. **Day Laborers.** In case of day laborers and in any other instance where the number of employes is not fixed by this ordinance, or when additional employes may be required temporarily in any department, the Commissioner of that department may, unless otherwise provided by law, or ordinance, employ such laborers or additional employes at such times and for such length of time, as he may deem necessary, and may prescribe their duties, and will make monthly report thereof to the Board. The compensation of such laborers and employes shall in no case exceed the rates fixed in this ordinance, and the total amount to be paid therefor in each department, in any year, shall not exceed the amount apportioned therefor.

Sec. 419. **Employes Retained.** All persons who are now filling any of the positions of employment provided for in this ordinance, and performing the duties thereof as prescribed herein, are hereby employed and retained by the City of Lexington, in said respective positions, and at the rates of pay herein provided, until such time as the Board of Commissioners, or the Commissioners of respective departments, as may be provided by ordinance, shall make further provision with reference to such employes. A continuation of any such person in the service of the City shall be deemed an acceptance of the employment made by this ordinance.

Sec. 420. The provisions of this ordinance, designating and appointing employes of the City and fixing their compensation, shall relate back to January 1st, 1913, and the compensation of all persons who have performed services for

the City since said time in any of the positions provided for in this ordinance, is hereby fixed at, and such persons shall be paid for said services, the compensation provided for in this ordinance.

Sec. 421. Street Sweeping Superintendent. The position of Superintendent of Street Sweeping for asphalt and brick streets is hereby created, and such Superintendent, when elected, shall receive seventy-five (\$75.00) dollars per month. The Superintendent of Street Sweeping shall act under the supervision of the Commissioner of Public Works, and perform such duties as may be designated by the Commissioner of said department.

Sec. 422. Extra Clerical Assistance. Whenever it becomes necessary to employ extra clerical assistance in the Finance Department, the Commissioner of that department shall make out bills for such services in regular form, and upon endorsement by the Auditor, the City Clerk shall draw his warrant on the Treasurer for the amounts named in favor of the extra clerks so employed.

Sec. 423. Back Tax Assessor. The Mayor (now Commissioner of Public Finance) is authorized to employ for a period or term of two (2) years from date of said employment or appointment a suitable person whose duty it shall be to discover and report unassessed property discovered by him to have been unassessed for any year or years, said appointee or employee who is simply an agent of the City may be removed or discharged by the Commissioner of Public Finance with or without cause after ten (10) days notice to said agent of his intention so to do, and after said removal the Commissioner of Finance may employ some other suitable person in his stead to act in the same capacity. The compensation of said agent or employee shall be 33 1-2 per cent. of the net amount of the taxes collected on the assessment or assessments of the property omitted from the tax lists. Said compensation shall be deducted by the Auditor from the face of the tax bill, and the same shall be paid to the appointee or employee at the time the money is collected and remainder of 66 2-3 per cent. of the taxes collected shall be credited to the account of the city fees as required by law. Before said deduction is made, said deduction shall be submitted to the Commissioner of Finance for his approval, and no payment shall be made without the written approval of the Commissioner of Finance.

Sec. 424. City Attorney. Beginning with the term January 1st, 1916, the salary of the City Attorney shall be six hundred (\$600.00) dollars per annum, payable monthly as other salaries are paid.

Sec. 425. Assessment by Block Maps. The Assessor of the City of Lexington is hereby directed in all future assessments of real property in the City of Lexington, to make the assessment of all such property according to the block map giving the block and lot number of such real property as shown by the block map of the City of Lexington and plat of such block and lot numbers in the Auditor's office.

Sec. 426. Assessor's Salary. The salary of the City Assessor shall be two thousand (\$2,000.00) dollars per annum payable monthly as other salaries are paid.

Sec. 427. City Depository. The City Depository of the City of Lexington, Ky., as selected by the City Treasurer, is hereby required to keep all monies of the City of Lexington, Ky., deposited by the Treasurer of said City in the following four separate accounts: General Fund, School Fund, Sinking Fund, and Library Fund, and said depository shall not pay any money from the account of the city except upon the warrant of the City Clerk, countersigned by the City Auditor and signed on the margin thereof by the City Treasurer. Said warrant to show the fund it is to be paid from. The City Depository is required to enter

the names in full on the city's pass book of all persons to whom any monies are paid upon the order of the city. The bond of the City Depository of the City of Lexington, Ky., hereafter named by the City Treasurer is hereby fixed at thirty thousand (\$30,000.00) dollars for the faithful care and payment of all funds intrusted to it.

Sec. 428. All checks given by the City Treasurer on the City Depository shall be written or printed on the face of the City Clerk's warrant, and shall be signed by the City Treasurer. All warrants drawn by the City Clerk shall be attested by the Auditor.

Sec. 429. **Block Map—Engineer's Duty.** That it shall be the duty of the City Engineer of the city, whenever any lot or part of a lot of ground shown on the block map of the city has become the property of any other person or persons, than the present owner or owners, to note said change of ownership on said block map, and also to note all sub-divisions that may be made of lots appearing on said map. Said changes of ownership and sub-divisions to be made promptly as they occur.

Sec. 430. **City Printing.** The price to be paid for publishing ordinances, resolutions and other official advertising of the City in the Official Newspaper, beginning April 1st, 1913, is hereby fixed at the rate of twenty-five (25) cents per linear inch, single column, solid six (6) point type measurement for the first insertion, and twenty (20) cents per linear inch for each subsequent insertion, to be paid monthly as other accounts are paid.

Sec. 431. **Delinquent Tax Collector.** It shall be the duty of the Delinquent Tax Collector to collect delinquent tax bills for taxes due to the City of Lexington when such bills are placed in his hands for collection. Tax bills for delinquent taxes on personal property will be turned over to the Delinquent Tax Collector by the Auditor at the time and in the manner provided by law; and the tax bills for delinquent taxes on real estate will be turned over to the Delinquent Tax Collector by the Auditor as soon as practicable after such bills have been sold by the Treasurer and purchased for the City. The Auditor will charge the Delinquent Tax Collector with all tax bills turned over to him for collection and will take his receipt therefor. The Delinquent Tax Collector will execute bond to the City in the sum of five thousand (\$5,000.00) dollars for the faithful performance of his duties in all respects with surety to be approved by the Board of Commissioners. Said bond to contain all necessary provisions to require the Delinquent Tax Collector to account for, and pay over to the city, all money collected by him and to secure the City against any loss by reason of any violation of his duties by said Tax Collector or failure to account for any funds belonging to the City. He will make daily reports of collections to the Auditor and turn over his gross collections to the City Treasurer, taking duplicate receipts therefor, one copy of which he will deliver to the Auditor with his daily settlements, and he will make monthly settlements of his accounts with the Auditor, showing the amount of money collected by him and paid over to the City and the amount of tax bills still in his hands. As full compensation for his services the Delinquent Tax Collector will receive a Commission on all delinquent taxes, collections made by him as follows: On all taxes due to the City for the year in which the collection is made and for the preceding year, ten (10) per cent of the amount collected; on all taxes due to the City for the second year preceding the year in which the collection is made, fifteen (15) per cent of the amount collected, and on all taxes for the third year preceding the year in which the collection is made, and all previous years, twenty (20) per cent of the amount collected. The claim of the Delinquent Tax Collector for commissions due him each month will be placed on the classified list to be audited and paid in the same way as salaries are paid by the City.

Sec. 432. **Jailer and Assistant.** The City Jailer shall reside at the work-house property, known as Spring Hill Farm, containing about fifteen (15) acres, and he shall have charge or control of the prison or jail, the dwelling house or dwelling house and buildings on the property, and of all personal or movable property on said place belonging to the city. He shall see that all of said premises, buildings and other property are kept in good repair. He shall superintend and direct the cultivation of that part of the land used for tillage and employ as many prisoners as may be required in cultivating the soil and for domestic labor. All products are to belong to the city except those consumed by the Jailer and his family.

Sec. 433. The City Jailer shall have special charge of the City Prison or Jail during the year for which he is elected and shall receive and keep all persons in said jail who are lawfully committed thereto until they are lawfully discharged. The prisoners being confined at hard labor as a punishment for offenses of which they have been convicted shall not, during their term of confinement, be subject to harsh and cruel treatment, and said Jailer shall, at all times, during the hours of labor, surrender and deliver the persons confined in the jail to such persons and at such times as the Mayor may direct for the purpose of labor or other services, and shall again receive and commit them when returned to him by such person or persons.

Sec. 434. The Jailer shall, under the direction of the Mayor, furnish all persons in the jail with plain, wholesome and properly cooked provisions, comfortable bedding and, in proper cases, suitable clothing to be paid for by the city. He shall have the jail kept clean, well aired and ventilated and properly heated. He shall attend diligently to the interest of the city, and see that all property committed to his charge is properly cared and accounted for.

Sec. 435. The City Jailer shall keep an official register in which shall be recorded the names of all persons committed to his keeping, showing the date of commitment, the length of time for which the party is committed, and the date of discharge, pardon or escape. The register shall be a public record and open for the public inspection during business hours. The Jailer shall, on the first day of each week, make a written report to the Mayor, showing the number of persons committed, the number discharged, pardoned or escaped, during the preceding week, also a complete list of persons remaining in prison, with the unexpired term of commitment of each, and such information as the Mayor may require.

Sec. 436. Before entering on the discharge of the duties of his office, the Jailer shall, in addition to the oath prescribed by the Constitution, be sworn to diligently and impartially perform his duties, and shall execute a bond to the City of Lexington, as provided for in Sec. 454 post, conditioned upon the faithful discharge of the duties of his office, and for an honest and faithful use of and accounting for all the supplies and materials placed in his custody or the use of prisoners.

Sec. 437. Each Jailer when he gives up his office, shall deliver to his successor the custody of the jail, with its keys and appurtenances, and the persons confined therein, with all warrants, mittimus, and other official papers, by which prisoners shall have been committed to his custody, or by which they have been liberated therefrom, also all property of every kind and description that may be in his charge belonging to the city. A full and complete memorandum of the persons, papers and property signed by both the old and new Jailer, shall be recorded in full in the official register of the Jail.

Sec. 438. **Assistant Jailer.** There is hereby created the office of Assistant City Jailer whose duty it shall be to assist the City Jailer in the performance of all duties required of him by law.

Sec. 439. The Assistant City Jailer shall be appointed by the City Jailer during the month of January and shall hold his office for a term of one (1) year or until his successor is appointed. (But see Com. Public Safety.)

Sec. 440. In addition to the duties now prescribed by law for the City Jailer and the Assistant City Jailer it shall be the duty of said officer to conduct all able-bodied male prisoners confined in the city Jail to the quarry on the jail premises, and then require them to work under their supervision and in their custody for at least eight (8) hours each day, (Sunday excluded) in quarrying, crushing and removing stone. At the close of each day's work said prisoners shall be returned by said officer to said City Jail.

Sec. 441. **Meter Inspector.** The office of inspector of Electric, Gas and Water Meters is hereby created and established. Said Inspector shall hold a certificate as to his competency from a technical institute or college and shall be appointed by the Mayor, subject to the approval of the Board of Commissioners. The first term of said office shall be for the period only up to and including December 1st, 1912. Thereafter the term shall be for one (1) year, beginning on the first day of January each year.

Sec. 442. It shall be the duty of said Inspector to test the pressure heat units and illuminating qualities of the natural gas furnished by the Central Kentucky Natural Gas Company, or its successors, or any other company, to consumers thereof in the City of Lexington as often as he shall find necessary, or as may be required by the Mayor or the Joint Light and Water Committee. The results of any and all tests shall be reported to the Board of Commissioners monthly, and shall be entered upon a record book kept in the office of said Inspector for said purpose, which record shall be open at all times to the public inspection.

Sec. 443. Upon written application of any consumer of gas, water or electric current, made to said inspector and accompanied by a proper fee, the Inspector shall inspect and determine the correctness of any meter designated in such application, and said inspection or re-inspection shall be stamped on said meter. The fees shall be as follows:—For Water Inspection a fee of twenty-five (25) cents will be charged for each water meter inspected.

For Gas Inspection, an inspection fee of twenty-five (25) cents, and an amount to be determined by the inspector to cover the expense of removing said meter for the purpose of making test for inspection.

For Electric Meters.—110-220 volt A.C. or D.C.; For a meter of a capacity of ten (10) amperes or less, one (\$1.00) dollar; more than ten (10) amperes and not more than fifteen (15) amperes, one dollar and (\$1.25) twenty-five cents; more than fifteen (15) amperes and not more than twenty-five (25) amperes, one dollar (\$1.50) and fifty cents; more than twenty-five (25) amperes and not more than fifty (50) amperes, two (\$2.00) dollars; more than fifty (50) amperes and not more than one hundred (100) amperes, two dollars (\$2.50) and fifty (50) cents; more than one hundred (100) amperes and not more than one hundred and fifty (150) amperes, three (\$3.00) dollars. For all meters more than one hundred and fifty (150) amperes, four (\$4.00) dollars.

500 volt direct current meters:—For a capacity of five (5) amperes and less, one dollar (\$1.50) and fifty cents; for more than five (5) amperes and not more than fifteen (15) amperes, two (\$2.00) dollars; for more than fifteen

(15) amperes and not more than twenty-five (25) amperes, two (\$2.50) dollars and fifty cents; for a meter of a capacity of more than twenty-five (25) amperes, three (\$3.00) dollars.

Sec. 444. The fees so deposited shall be paid into the City Treasury, to the credit of the General Fund; provided, that if the meter so examined be found incorrect no fees or expenses shall be finally paid by the consumer, and the fees deposited shall be refunded, and the company shall furnish a new meter without charge to the consumer and pay into the City Treasury an amount to cover the expenses of removing and testing said meter; provided, further that if it be necessary after the inspection of such meter to remove and discontinue the same, the company owning such meter shall immediately supply such consumer with another meter for use during the time required for such inspection.

Sec. 445. Any meter shall be deemed correct for the purpose of this ordinance if it shall prove from such inspection or test of any gas meter, that it does not vary more than two (2) per cent. from the standard prescribed by the Board of Gas and Electric Light Commissioners of the State of Massachusetts; and if it shall prove from the inspection or test of any electric meter that the same does not vary more than five (5) per cent. from the standard approved by the aforesaid Board of Gas and Electric Light Commissioners of the State of Massachusetts.

Sec. 446. Said Inspector shall also inspect the lights furnished the City under contract by the Lexington Utilities Company, and pass on the correctness of all accounts rendered the City by said Company.

Sec. 447. The voltage of the direct current motor circuits shall vary not more than seven (7) per cent. from 525 volts. Tests of the voltage of this circuit shall be made at such times and locations as may be deemed proper by the inspector.

Sec. 448. **Supervising Engineer.** There is hereby created the position of Supervising Engineer of the City of Lexington. Said Engineer shall have general supervision of all work done in construction of sidewalks, streets, sewers and sewage disposal plant, and other public work. Said Supervising Engineer shall be paid the sum of two hundred and fifty (\$250.00) dollars per month, payable monthly as other salaries are paid.

Sec. 449. **Pound Keeper.** There is hereby established and created in the City of Lexington a public pound, and it shall be the duty of any policeman who shall find any cattle, cows, hogs, goats or other animals, running at large or straying upon the premises of another, in the City of Lexington, to take the same into possession and confine said animals in the pound, taking the receipt of the pound-keeper for the same.

Sec. 450. The Mayor shall, during the month of January, each year, enter into a contract with some responsible person to perform the duty of pound-keeper for one (1) year, as hereinafter set out; but the Mayor shall have no authority to bind the city for any more compensation for the pound-keeper than the fee authorized by this ordinance for the keep and feed of the animals impounded. The pound-keeper shall give a bond in the penal sum of five hundred (\$500.00) dollars for the faithful performance of his contract with the City.

Sec. 451. The pound keeper shall feed, water and properly care for all animals committed to the pound, and for his said services shall receive the sum of fifty (50) cents per day for each animal so cared for, and the owner or the lawful claimant of such animal shall pay such charges to the pound keeper before he shall deliver any animal to such owner or claimant, and, upon a refusal

to pay such charges, the pound keeper shall advertise and sell said animal at public auction after five (5) days advertisement in the official newspaper of the city, and, after deducting his fees for feeding, watering and keeping said animal and the cost of advertising from the proceeds of the sale, shall pay the remainder to owner of said animal, or if said owner shall refuse to receive the same, the pound keeper shall deposit the same to the credit of such owner in the bank designated by law as the City Depository; provided, that is no case shall the cost of advertisement and sale of said animal exceed three (\$3.00) dollars.

Sec. 452. If any animal delivered to the pound keeper by a policeman or other person shall not be called for and claimed within five (5) days from the receipt of same, it shall be the duty of the pound keeper to advertise and sell said animal and dispose of the proceeds of said sale as set out in the preceding section.

Sec. 453. Any person who shall take up or confine, or cause to be confined in any stable, lot or other place, any animal found trespassing or running at large, in the city shall be fined fifteen (\$15.00) dollars for each offense, and it is hereby made the duty of the pound keeper to receive, feed, water and care for any animal brought to the pound by any citizen who shall find such animal running at large or straying upon the premises of another than the owner or bailee of said animal.

Sec. 454. **Official Bonds.** The following agents and employes of the City shall give a bond to the City of Lexington with some reliable guaranty company as surety for the amounts set opposite their respective positions, for the faithful discharge of the duties of their position as required by Charter (Act of March 19, 1894), and ordinances governing and relating to said positions.

ASSESSOR	\$ 5,000.00
AUDITOR	5,000.00
ENGINEER	5,000.00
JAILER	3,000.00
DELINQUENT TAX COLLECTOR	5,000.00
LICENSE INSPECTOR	2,000.00
TREASURER	30,000.00

Sec. 455. **Public Library.** The persons who composed the Board of Trustees of the Public Library of the City of Lexington on December 31st, 1913, are hereby appointed and designated as agents of the City of Lexington for the purpose of managing and controlling the Public Library of the City of Lexington.

Sec. 456. Persons composing said Board of Trustees as provided in section 455, and their successors, shall, as agents of the City of Lexington, have full charge, control and management of the Public Library, and said persons are, as far as the Board of Commissioners has power to grant to them, hereby vested with all the rights, power and authority vested by law in Boards of Trustees of Public Libraries in Cities of the Second Class.

Sec. 457. If at any time one of the persons constituting said Board of Trustees shall be unable to, or shall fail to perform his duties as a member thereof, the Board of Commissioners shall appoint another person in his place; and the Board of Commissioners reserves to itself the right at all times to appoint other persons as members of said Board in place of those appointed by this ordinance or who may hereafter be appointed by the Board of Commissioners.

CHAPTER 10. ARTICLE III.

OFFICERS AND EMPLOYEES**POLICE AND FIREMEN.**

Sec. 458. **Police Department.** The positions of employment in the Police Department of the City of Lexington, the number of employes thereof and their respective salaries are prescribed, designated and fixed as follows:

	Month
One Chief	\$166.66 $\frac{2}{3}$
One Assistant Chief	150.00
Two Captains, each	110.00
One Lieutenant	100.00
Two Sergeants, each	83.33 $\frac{1}{3}$
Four Detectives, each	83.33 $\frac{1}{3}$

Thirty three patrolmen, with salaries as follows:

Patrolmen of Grade A, each	80.00
Patrolmen of Grade B, each	75.00
Patrolmen of Grade C, each	70.00
Patrolmen of Grade D, each	60.00
One Ambulance Driver	70.00
One Janitor	50.00
Two machinists, who shall also perform the duties of patrolmen, each..	80.00
One Police Court and Department Clerk, whose salary shall be \$100.00 per month, until July 1st, 1914, and thereafter \$75.00.	

The above salaries shall be paid monthly as other City salaries and accounts are now paid.

Sec. 459. **Graded.** In order to secure efficiency in performance of duty by patrolmen and to provide incentive and reward for faithful and efficient service by them, they are classified and graded as follows:

1. Patrolmen of Grade A, consisting of men who have served five (5) years or more with good record, and machinists with or without five (5) years service.

2. Patrolmen of Grade B, consisting of men who have served three (3) years and less than five (5) years with good record.

3. Patrolmen of Grade C, consisting of men who have served one (1) year and less than three (3) years with good record and the present substitutes of the Police force.

4. Patrolmen of Grade D, consisting of patrolmen not included in Grades A, B or C.

Sec. 460. Past service of members of the present police force shall be estimated in fixing their grades. Those who have previously served on the police force or in the fire department intermittently shall be allowed one-half ($\frac{1}{2}$) of previous time in determining their grades. Any patrolman who remains in Class D for two (2) years shall be dismissed from the service.

Sec. 461. **Merit System Established.** In order to establish more fully the merit system there shall be kept by the Chief of Police a record upon which patrolmen shall be credited with merits and charged with demerits in the following manner:

The Board of Commissioners may by majority vote allow any number of merits to a patrolman in cases of exceptional and meritorious conduct in the performance of duty.

Demerits to be determined by the Commissioner of Public Safety upon complaint of the Chief of Police or upon other information, shall be charged against patrolmen as follows for any of the following causes occurring or existing after January 1st, 1914:-

Disobedience of orders.....	2 demerits.
Violation of any rule of the department	1 demerit.
For drinking intoxicating liquor while in uniform	2 demerits.
For being intoxicated while on duty	5 demerits.
For being intoxicated while off duty	3 demerits.
Insubordination or disrespect towards superior officer	1 demerit.
Oppression or tyranny	1 demerit.
Neglect of duty	2 demerits.
Any offense against the law	2 demerits.
Absence from duty without leave	2 demerits.
Immoral conduct	2 demerits.
Conduct unbecoming to an officer	2 demerits.
Conduct injurious to public peace or welfare	2 demerits.
Unnecessary absence from his route during tour of patrol duty	2 demerits.
Incapacity, mental, physical or educational	5 demerits.
Breach of discipline	1 demerit.
Neglecting or refusing to pay a debt for uniform clothing, or for rent, or the necessities of life	2 demerits.
Contracting a debt under false or fraudulent pretenses	2 demerits.
Neglecting or refusing to pay just debts.....	2 demerits.
Entering houses of prostitution and assignation, saloons or sporting houses of any description, unless in the discharge of his duty ...	2 demerits.
Communicating information relating to police work without permis- sion	2 demerits.
Sitting down while on patrol duty	1 demerit.
Conversing during the tour of patrol duty with others without cause therefor	1 demerit.
Not patrolling, or not properly patrolling his route during his tour of patrol duty	2 demerits.
Failing to detect a crime committed on his route during his tour of patrol duty	1 demerit.

Sec. 462. Each merit shall be equivalent to one year of service in determining the grade of a patrolman. Each demerit shall be equivalent to taking off one year of service in determining the grade of a patrolman. Whenever a patrolman is credited with merits or charged with demerits as provided in this ordinance his grade as patrolman shall thereupon be automatically advanced or reduced in accordance with the scale provided in this ordinance: Provided, that merits or demerits occurring in one year shall not be considered in any other year. Whenever a patrolman receives sufficient demerits to drop him below the grade of D, he shall be dismissed from the service, and if any patrolman of any grade shall have 5 demerits against him in any one year, he shall be dismissed from the service. Machinists may be reduced in grade the same as patrolmen and when reduced, shall be subject to the same rules as patrolmen with reference to promotion or further reduction.

Sec. 463. Promotions to and reductions from positions of higher grade than patrolmen* will be made upon consideration of merit and efficiency by the Board of Commissioners upon recommendation of the Commissioner of Public Safety. Promotion from patrolmen to higher grades will be made from patrolmen of grade A.

Sec. 464. **Fire Department.** The positions of employment in the Fire Department of the City, the number of employes therefor and their respective salaries are prescribed, designated and fixed as follows:

	Per month.
One Chief	\$166.66
One Assistant Chief	110.00
One Fire Inspector and Captain	110.00
Three Captains, each	90.00
One First Class Machinist	100.00
Two Second Class Machinists, each	91.66
Twenty-seven firemen with salaries as follows:	
Firemen of Grade A	80.00
Firemen of Grade B	75.00
Firemen of Grade C	70.00
Firemen of Grade D	60.00

The above salaries shall be paid monthly as other City salaries and accounts are now paid.

Sec. 465. The duties of the Fire Inspector shall be to inspect all buildings within the fire limits of the City of Lexington and to require the occupant thereof to remove any and all trash or material, which, in his opinion, shall be dangerous on account of fire. Said Inspector shall have the right to enter all buildings or premises at reasonable times, for the purpose of inspection, and if he discovers any trash or material, which in his judgment should be removed, he should give a notice in writing to the occupant or tenant of said building to remove the same within ten (10) days after said notice, and if such occupant or tenant refuses to comply with said notice, said Inspector shall cause him to be brought before the Police Court of the City of Lexington by warrant, and fined not less than five (\$5.00) dollars nor more than twenty-five (\$25.00) dollars for such refusal.

Sec. 466. **Graded.** In order to secure efficiency in performance of duty by firemen and to provide incentive and reward for faithful and efficient service by them, they are classified as follows:

1. Firemen of Grade A.
2. Firemen of Grade B.
3. Firemen of Grade C.
4. Firemen of Grade D.

Sec. 467. Men now in the service of the City as firemen, including the present substitutes, shall be graded according to their present efficiency and their past conduct and faithfulness, by the Board of Commissioners upon the best information obtainable by the Board, the action of the Board to be made a matter of record on the journal of its proceedings. Appointments made hereafter shall be made to Class D. Promotions of men with good record shall be made by the Commissioner of Public Safety upon the recommendation of the Chief, as follows:

From Class D to Class C, after one (1) year's service with good record.

From Class C to Class B, after three (3) year's service with good record.

From Class B to Class A, after five (5) year's service with good record.

Sec. 468. Men who have previously served in the Police or Fire Department of the City with good record and who are reappointed, shall be given credit for one-half ($\frac{1}{2}$) of old service in determining their Grade. In exceptional cases of meritorious conduct the Board of Commissioners may, by majority vote, promote a man from one class to any other class.

Sec. 469. **Merit System Established.** In order to more fully establish the merit system there shall be kept by the Chief of the Fire Department a record upon which Firemen shall be charged with demerits, to be determined by the Commissioner of Public Safety upon complaint of the Chief of the Fire Department or upon other information, as follows for any of the causes set out in this section occurring or existing since January 1st, 1914:

1. Drinking intoxicating liquors while on duty or in uniform 2 demerits.
2. Being intoxicated while on duty..... 5 demerits.
3. Being intoxicated while off duty 3 demerits.
4. Willful disobedience of orders 2 demerits.
5. Indecent, profane or obscene language used while on duty or in or around his post of duty 1 demerit.
6. Disrespect to a superior 2 demerits.
7. Neglect in paying his just debts for necessities contracted while in the employ of the City 2 demerits.
8. For immorality, indecency or lewdness 2 demerits.
9. For absence from duty without leave of the Commissioner of Public Safety or Chief of the Fire Department 2 demerits.
10. For inefficiency, lack of energy or incompetency either mental or physical 5 demerits.
11. For a violation of any other rule or regulation prescribed in rule book 1 demerit.

Two (2) demerits charged against a Grade A or Grade B man in any one (1) year shall reduce him one (1) grade.

One (1) demerit against a Grade C man shall reduce him to Grade D.

Two (2) demerits against a Grade D man in one (1) year shall be cause for dismissing him from the service.

Five (5) demerits against a man in any grade in one (1) year shall be cause for dismissing him from the service.

Any man who serves in Grade D for two (2) years without promotion shall be dismissed from the service.

When a man is reduced from one grade to a lower grade by demerits, his standing shall be the same as when he first entered the latter grade.

Sec. 470. Promotions to and reductions from positions of employment in the Fire Department of higher grade than firemen will be made upon considerations of merit and efficiency by the Board of Commissioners, upon recommendation of the Commissioner of Public Safety. Promotions from firemen to higher grades will be made from firemen of Grade A.

Sec. 471. **Appointments and Dismissals.** All new appointments to the Police and Fire Departments shall be made by the Board of Commissioners or by the Commissioner of Public Safety with the approval of the Board. All dismissals from said departments shall be made by the Board of Commissioners after due notice and hearing. Any patrolman or fireman may be dismissed for demerits as provided in this ordinance, and any other employes of said police or fire departments may be dismissed by the Board for any cause which would authorize the dismissal of a Grade A man in their respective departments.

Sec. 472. Each employe provided for in this ordinance shall perform the duties usually and customarily incident to and pertaining to his position of employment or which may be prescribed by law or ordinance, or which may be assigned to and required of him by his superior officers or by the Board of Commissioners of the City.

Sec. 473. The provisions of this ordinance with reference to the compensation of the employes provided for herein shall relate back to April 1st, 1914, and the compensation of all persons who have performed services for the City since said time in any of the positions provided for in this ordinance is hereby fixed at, and such persons shall be paid for such services, the compensation provided for in this ordinance for their respective positions and grades.

Sec. 474. **Police and Detective Force.** All members of the Police and Detective Force of the City of Lexington, Ky., and all members thereof who may hereafter be appointed, shall hold their respective appointments for and during good behavior.

Sec. 475. The Board of Commissioners shall require all applicants for appointment as members of said Police or Detective Force, to stand an examination as to his qualifications to fill the office of policeman or detective, and to his knowledge of the English language, and as to the law and rules governing the duties of policemen or detectives, and each member or officer of the police or detective force shall be a qualified voter of the City, and able to read and write the English language, understanding it, and otherwise comply with such qualifications as may be prescribed. No person shall be appointed a member or officer of the police or detective force unless he is well known to be a man of sobriety and integrity, and has been, and is, an orderly law abiding citizen, nor shall any person be appointed a member or officer of said force on account of any political sentiment or affiliations, nor shall any officer or member of said force be removed or discharged or reduced in grade, or in pay, for any political partisan opinion. Appointments and continuance upon the police or detective force shall depend solely upon their ability and willingness to enforce the law, and comply with the rules of the police department.

Sec. 476. No member or officer of the police or detective force shall be removed from the force, reduced in grade or pay, upon any reason except, inefficiency, misconduct, insubordination, or violation of law or rules adopted by the Board of Commissioners. Any person may present charges against an officer or member of the police or detective force, which must be filed in the office of the Commissioner of Public Safety who shall thereupon communicate said charges without delay to the other Commissioners. Said charges must be written, signed by the person making said charges, and must set out with clearness and distinctness each and every charge. It shall be the duty of the Commissioner of Public Safety, whenever probable cause appears, to prefer charges against any member of the police or detective force, whom he believes to have been guilty of any conduct justifying his removal, or punishment, in the interest of the public order. The charges filed by the Commissioner of Public Safety shall be written and set out with distinctness and clearness the charges made, and upon the hearing of any charge, as hereinafter provided, all said charges shall be considered as traversed, and put in issue, and the trial shall be confined to these issues so presented. All charges against members or officers of the police or detective force shall be forthwith filed by the Commissioner of Public Safety with the clerk of the Board of Commissioners, and, within three (3) days after said filing, the Board of Commissioners shall proceed to hear and examine said charges, provided two (2) days before said hearing the officer or member of the police or detective force accused has been served with a copy of said charges, and a statement of the day, place and hour at which, and when the hearing of said charges shall begin. The person accused may, however, in writing waive the services of said charges and demand trial within three (3) days after said charges are filed with the Clerk of the Board of Commissioners. The Board of Commissioners shall summon and compel the attendance of witnesses at all

sittings, or hearings, by said Board, upon subpoena issued by the Clerk of said Board and served upon said witnesses by an officer authorized to serve subpoenas from any Court of Justice in the County. The officer or member of the police or detective force accused, shall have the right to have subpoenaed in his behalf, any witness he may desire, upon furnishing their names to the Clerk of said Board, and shall further have the right to appear in person and by counsel at the hearing of said Board, the finding of said Board shall be reduced to writing as a judgment, and shall be entered in a book to be kept for that purpose, and the written charges filed in the matter shall also be recorded in full in said book immediately preceding the record of finding of said Board. In cases where the Commissioner of Public Safety has probable cause to believe that an officer or member of the police or detective force may be guilty of any conduct justifying removal or punishment, he may suspend said officer or member from duty, pending said trial, and said officer or member shall not be placed on duty, or allowed pay thereafter, until the charges are heard by the Commissioners.

Sec. 477. Punishment. The Board of Commissioners shall fix the punishment against an officer or member of the police or detective force, found guilty of any charge under this ordinance at a reprimand, or at a fine not to exceed one hundred (\$100.00) dollars, or suspension at any length of time in their judgment, not to exceed six (6) months, or by reducing the grade, if the accused be an officer, or by combining any two (2) or more of said punishments, or removal or dismissal from the services of either officer or member of the force. No officer or member of the police or detective force except as provided in this act, shall be fined, reprimanded, removed, suspended or dismissed from the police or detective force until written charges have been made or preferred against him, and trial had as herein provided.

Sec. 478. Any member of the police or detective department who shall refuse to pay any fine imposed, or to accept any punishment inflicted by the Board of Commissioners, after trial had, as above set out, shall be guilty of insubordination, and if found guilty by the Board of Commissioners after a trial held in accordance with the provisions hereinabove set out, shall be peremptorily discharged and dismissed from said service.

Sec. 479. Detectives. At no time shall more than four (4) men be assigned to do detective duty, unless, in the judgment of the Police and Fire Commission an emergency shall arise.

Sec. 480. Clerk. One man shall be assigned to do the duty of keeping the records of the Police and Detective Departments, according to modern methods, in books to be especially prepared for the Police Department. It shall also be his duty to act as Clerk of the Police Court and perform such other duties as the Police and Fire Commission or General Council may direct.

Sec. 481. Bonds. All policemen and Firemen are hereby required to give bond to the City of Lexington, Kentucky, for its use and the use of any one whose rights may be wrongfully injured by the improper conduct of said policemen or firemen with some reliable guaranty company as surety to be approved by the Police and Fire Commissioners in the following sums:

Chief of Police	\$2,500.00
Captains	500.00
Lieutenants	500.00
Sergeants	500.00
Chief of Detectives	1,000.00
Detectives	500.00

Patrolmen	500.00
Substitute Patrolmen	250.00
Chief of Fire Department	1,500.00
Assistant Chief	500.00
All other Firemen	500.00

The form of bond to be executed by all said policemen and firemen shall be as follows:

KNOW ALL MEN BY THESE PRESENTS.

That we.....Principal and.....
.....Surety are held and firmly bound unto the City of
Lexington, Kentucky for its use and the use of any whose rights may be wrong-
fully injured by the improper conduct of said.....
in the sum of.....Dollars.

The condition of the above obligation is such that whereas the said
.....has been appointed.....
subject to the Charter and Ordinances of the City of Lexington and the action
of the Police and Fire Commissioners in conformity therewith:

Now, if the said.....shall in his official capacity
treat all persons in a proper and humane manner, and shall pay over all sums of
money that may come into his hands to the persons entitled thereto, and shall
faithfully perform all other duties of said position of.....
as prescribed by the Charter and Ordinances of the City of Lexington, Ken-
tucky, and the rules adopted by the Police and Fire Commissioners regulating
said position so long as he shall occupy said position.

Then this obligation shall be void; otherwise it shall remain in full force
and effect.

Given under our hands and Seal, thisday of.....191...

..... Seal.

..... Seal.

Attest:

.....

CHAPTER 11.

RAILROADS.

Sec. 482. **Overhead Railway Bridges.** The minimum height for overhead railway bridges, over streets or alleys upon which electric railways are operated, is hereby fixed and prescribed as fifteen (15) feet above the established grade of such streets or alleys.

Sec. 483. Each railway company or corporation owning or controlling an overhead railway bridge, of less than the minimum height prescribed by section 482, crossing any street or alley of the City of Lexington, upon which an electric railway is in operation, shall within six (6) months from the publication of this ordinance raise and elevate such bridge to a minimum height of fifteen (15) feet above the grade of such street or alley at the place of crossing, so that the lowest point or part of such bridge at the place of crossing shall be at least fifteen (15) feet above the highest point in the grade of such street or alley at that place.

Sec. 484. Each railway company or corporation owning or controlling an overhead railway bridge, over any street or alley of the City of Lexington, which has pillars, bents or supports of any kind constructed in or on any part of the driveway or sidewalk of such street or alley shall, within six (6) months from the publication of this ordinance, remove such pillars, bents or other supports from such street or alley and from the driveway and sidewalk thereof; provided, that any railway company or corporation, desiring to construct pillars or supports at the curb lines, for the support of any such bridge, may submit plans of such proposed bridge and supports to the Joint Improvement Committee of the General Council, and if such committee approve such plans, it shall be lawful for such pillars or supports to be constructed in accordance with such plans; but in no event shall any such pillars, bents or supports be constructed in or be allowed to remain in the driveway of any street or alley or in any part of the sidewalk, except on the line of the curb, in accordance with such approved plans.

Sec. 485. The Mayor is directed to cause a certified copy of this ordinance to be delivered, by the Chief of Police, to each railway company or corporation, owning or controlling an overhead railway bridge in the City of Lexington, that does not conform to the requirements of this ordinance.

Sec. 486. The City Engineer is directed to furnish any such railway company or corporation, upon request, with the grade and width of any street or alley of the City at any point where a railway bridge crosses such street or alley, together with such plans, profiles and cross-section of such street or alley as may be necessary to show the grade and width thereof.

Sec. 487. Any railway company or corporation violating sections 483 or 484 by failing to comply therewith within six (6) months from the publication of this ordinance, shall be fined not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars for each offense, and each day of the continuance of such violation of either of said sections shall be deemed and construed to be a separate and distinct offense.

Sec. 488. **Speed of Train.** It shall be the duty of all railroad companies and employees thereof, when any locomotive or locomotive train of cars is approaching the City of Lexington, to so regulate the speed thereof as not to cross the city limits at a greater rate of speed than ten (10) miles per hour, and continue reducing the speed so that at the crossing of the first street they shall not be at a speed greater than six (6) miles per hour, and departing from the city to

observe the same rate of speed, not exceeding six (6) miles per hour until the last street shall have been passed and not exceeding ten (10) miles per hour from the last street to the city limits. The penalty for a breach of the provisions of this section shall be fifteen (\$15.00) dollars for each offense, recoverable either against the company operating said road or the employees in charge of said locomotive or locomotive train of cars.

Sec. 489. **Rules for Operating.** It shall be the duty of all railroad companies and employees thereof, whenever any locomotive is entering the city, to begin ringing the bell of said locomotive at least one hundred (100) yards before the crossing of the first street and continue such ringing until the last street in leaving the city is passed, whenever the locomotive is in motion. The penalty for the violation of this section is five (\$5.00) dollars for each offense.

Sec. 490. Any person in charge of a locomotive who shall blow the whistle or discharge the steam from the same so as to disturb or annoy persons within the city, unless the same be necessary in order to give a signal or prevent the destruction of property, shall be fined five (\$5.00) dollars for each offense.

Sec. 491. When the track or tracks of any railroad crosses any streets of the city, the company owning or operating such railroad shall keep such crossing in good repair and convenient for the crossing of vehicles and persons on horseback or on foot. The space between the rails and for eighteen (18) inches on the outside for the width, including the sidewalk when required by the Superintendent of Public Works shall be filled with heavy plank, scantling or any other material that said Superintendent of Public Works may require. The material herein required to be used shall be placed on a level with the rails. The violation of the provisions of this section shall be a continuing offense, punishable by a fine of ten (\$10.00) dollars for each day that same shall continue, after notice by the Superintendent of Public Works to the local agent of the railroad company so offending.

Sec. 492. All railroad companies owning or operating railroads, the tracks of which cross any street or highway within the city limits, are required to erect and maintain at all such crossings a gate that will effectually prevent all travelling on said streets or across said tracks during such times as the railroad trains or locomotives may be passing thereon, and to keep at all such crossings a gate keeper whose duty it shall be to keep such gate closed during the passing of locomotives or trains across the streets or highways. Violation of this section shall be punishable in the manner as the preceding section.

Sec. 493. It shall be unlawful for any locomotive, railroad car or train of cars to stand longer than five (5) minutes at any one time across any street or highway in the city, so as to interrupt travel on said street or highway; nor shall it be lawful for the gates at the street crossings provided for in the preceding section to remain closed longer than five (5) minutes at any one time. Nor shall any locomotive be permitted to stand within fifty (50) feet of any street crossing longer than ten (10) minutes at any time. Any railroad company or agent or employee of any such company who shall violate this section shall be fined fifteen (\$15.00) dollars for each offense.

Sec. 494. All railroad companies owning and operating tracks in the city of Lexington are required to erect and maintain electric arc lights at all points where the tracks intersect the streets, alleys, ditches, sewers and culverts of the city. Said lights to be in all respects similar to those used by the city. Companies violating this section by failing to establish or maintain said lights, shall be fined five (\$5.00) dollars for each night this section is violated.

Sec. 495. **Street Railways.** The Passenger and Belt Railway Company

is hereby authorized to construct its line of railway, to be operated by electricity by means of the overhead trolley system, and to erect its poles for the support of its wires on the following streets, to-wit: Main, Broadway, Walnut, Rose, Kentucky Avenue, Fourth and Fifth Streets, Maple Avenue or Chestnut Street and Sixth Street. If, after laying said tracks, the city shall determine to change the present grade of any street or streets at any point or points, the said railway company shall change the grade of its tracks at said points to conform to the new grade; but said company shall not be required to lay permanent pavements, such as granite, brick or asphalt at any point until the permanent grade of any street has been fixed at that point.

Sec. 496. It shall be the duty of said Railway Company to replace in good condition all sidewalks and curbing that may be disturbed in setting its poles, and all crossings and culverts that may be disturbed in laying its tracks, which repairs shall be made as soon as possible after each pole is set. All poles used by said railway company within the city must be neatly dressed and painted as may be prescribed by said committee.

Sec. 497. All persons, corporations or companies who hereafter run or operate any street cars upon any street, alley or public place in the City of Lexington, are hereby required to attach to the front end of each car run and operated by them, a guard or fender adapted to the protection from injury of persons passing upon such streets, alley or public place. Such guard or fender shall be of such material, shape and character as may be approved by the Mayor.

Sec. 498. Any person, corporation or company running or operating any street car in the City of Lexington and failing to comply with the provisions of this ordinance, shall be fined ten (\$10.00) dollars for each offense, and each car so run and operated, and each day upon which it is so run or operated, shall constitute a separate offense.

CHAPTER 12.

SECOND-HAND DEALERS.

Sec. 499. **Second-Hand Dealers.** All persons, firms or corporations dealing, handling or selling second-hand clothing or other second-hand merchandise of any description shall keep a book wherein shall be recorded all purchases of second-hand goods or merchandise, together with a description of said goods or merchandise, and the name, color and address of the person or persons from whom said merchandise is purchased and the amount paid therefor, and shall make daily reports of all such second-hand purchases to the Chief of Police. No person, firm or corporation so purchasing any second-hand goods or merchandise shall dispose of same or change the identity or form of such goods or merchandise for a period of five (5) days after the same has been duly reported to the Chief of Police. The said second-hand dealer shall on any day and at any time, at the request of the Chief of Police, Chief of Detectives, Captain or Lieutenants of Police, produce such records so kept for inspection, and the said officers shall have rights at all reasonable times to inspect any goods or merchandise so purchased.

Sec. 500. That all persons, firms or corporations, partially or exclusively engaged in the buying and selling of second-hand merchandise, shall be deemed a second-hand dealer within the meaning of this ordinance.

Sec. 501. Any person, firm or corporation violating the provisions of sections 499 and 500 shall be punished by a fine of not less than five (\$5.00) dollars, and not more than ten (\$10.00) dollars.

Sec. 502. **Junk Dealers.** All dealers buying and selling furs, wool, skins and other odds and ends, commonly known as junk dealers, shall keep a book wherein shall be recorded all purchases of scrap iron, brass, zinc, lead, etc., together with a description of same and the name, color and address of the person or persons from whom said material is purchased, and shall, on any day, and at any time, at the request of the Chief of Police, Chief of Detectives, Captain or Lieutenant of Police, produce said record so kept for inspection. Any violation of this ordinance shall be punished by a fine of not less than five (\$5.00) dollars and not more than ten (\$10.00) dollars in the Police Court.

CHAPTER 13.

SEWERS.

Sec. 503. **General Rules for Constructing.** The following general rules and regulations shall govern the construction of public sanitary sewers at the cost of the abutting property owners, and the duties of the City officials named herein, with reference thereto, unless otherwise provided in the ordinance ordering such construction. Such construction shall be done in accordance with the Waring plans and specifications on file in the office of the Commissioner of Public Works and according to the grade furnished by the City Engineer.

Sec. 504. **Bids.** Upon passage of an ordinance ordering the construction of a sanitary sewer at the cost of the abutting property owners, the Commissioner of Public Works will advertise for a period of at least five (5) days in the Official Newspaper of the City for bids for the construction of such sewer. He will report such bids to the Board of Commissioners and said Board shall have the right to reject any or all bids. The acceptance of one bid for such work shall be deemed a rejection of all other bids for the same work. Upon the acceptance of any such bid by the Board of Commissioners, the Mayor will enter into a contract with the successful bidder for the execution of the work. The successful bidder will be required to execute bond to the City of Lexington with surety to be approved by the Mayor for the faithful performance of the contract, and to indemnify the City against all loss or damage that it may sustain by reason of any injury to persons or property resulting from the negligence or carelessness or other act or omission of the contractor, his agents or employes in the execution of the work and to restore the street to as good condition as before said improvement was begun.

Sec. 505. **Acceptance.** When the contractor for the construction of any sewer shall report to the Commissioner of Public Works that such construction has been completed in accordance with the contract therefor, the said Commissioner will give three (3) days' notice by one (1) insertion in the Official Newspaper of the City and by notices posted in two (2) conspicuous places on or near said work, fixing the day, hour and place on said work when he will inspect same for the purpose of accepting it, if properly done, at which time and place the abutting property owners shall have the right to protest against the acceptance of said work. At the time and place given in said notice he will inspect the work and will report to the Board of Commissioners whether in his judgment it has been done according to contract, and whether any objections have been made to the acceptance thereof. If, in his judgment, said work is not properly done, he will notify the contractor to make it satisfactory and will report all the facts to the Board of Commissioners with his recommendations in the premises and the Board of Commissioners will thereupon take such steps as it may deem proper with reference thereto.

Sec. 506. **Assessment.** Upon completion of a sewer the City Engineer will report to the Board of Commissioners the total cost thereof and the name of each of the abutting or fronting property owners, the number of abutting feet owned by each of them and the proportionate part of the cost of such construction to be assessed and levied against the property of each of said abutting or fronting property owners, and the Board of Commissioners shall thereupon apportion said cost of construction to, and against the property liable therefor, as provided by law and shall assess and levy a special and local tax against said property and the owners thereof equal to the amount of the cost so apportioned. Said tax will be secured by a lien on said property in favor of the City of Lexington for the use

and benefit of the contractor for said work, and shall bear such interest from the date of the assessment as may be provided by law. No error in, or omission of, the name of any owner of property that may be liable for such tax, nor any discrepancy in the number of feet owned by any such person which may occur in the ordinance assessing and levying the tax for the payment of such improvement shall affect or invalidate the assessment and levy made by such ordinance, but the said property shall remain liable for said tax at the rate per foot as fixed in said assessing ordinance, and the lien therefor may be enforced against such property in the name or names of the real owners thereof according to the actual number of feet owned by them.

Sec. 507. All special assessments and taxes for the construction of sanitary sewers shall be due and payable at the office of the City Treasurer immediately upon the publication of the ordinance assessing such taxes. The City Auditor shall keep a record of all such special taxes and assessments in his office, in a book provided for that purpose, and upon the payment of any such tax the Treasurer will report the same to the Auditor, and he will make proper entry thereof on said record, whereupon the lien created by said tax shall stand released.

Sec. 508. The City of Lexington shall not be responsible for the payment of any part of the cost of said construction, but the entire cost thereof, including the cost of intersections, shall be assessed upon the property in the neighborhood thereof, in the manner provided by law, and the contractor shall look solely to the assessment levy and collection of the tax against said property and the owners thereof for his compensation for said work.

Sec. 509. This ordinance is intended to provide general regulations concerning the construction of sewers, and to prescribe the duties of certain city officials with reference thereto, and is not intended to prescribe any conditions not prescribed by law, with reference to the construction of such sewers, or the levy and collection of the tax for the payment thereof. A failure of the Board of Commissioners, or of any city official to comply with the provisions hereof shall not affect or invalidate any ordinance relating to the construction of sewers, nor the assessment or levy of any tax for such construction, unless such omission or failure shall otherwise violate the general law relating thereto.

Sec. 510. The provisions of the seven (7) preceding sections, so far as applicable, shall also apply to and govern the construction of sanitary sewers on the ten (10) year payment plan.

Sec. 511. All ordinances in conflict herewith, and particularly Ordinance Nos. 2206 and 2426 old series, and 387 new series, of the City of Lexington, are hereby repealed.

Sec. 512. **Tapping Sewers.** It shall be unlawful for any person, other than a licensed plumber, to tap a sewer or make a sewer connection with any sewer in the City of Lexington.

Sec. 513. **Permits to Tap.** Any sewer which has been or may hereafter be constructed wholly at the expense of the City may be tapped by any person through any licensed plumber upon application to the Superintendent of Public Works, and upon the production to the Superintendent of a receipt of the City Treasurer, countersigned by the Auditor, that the said person has paid into the City Treasury the sum of twenty-five (\$25.00) dollars, and the said Superintendent shall then issue a permit to tap said sewer, the said applicant complying with all the provisions of this ordinance, and any person tapping any such sewer without first obtaining said permit shall be fined as hereinafter provided.

Sec. 514. Any person owning property on the line of any sewer constructed at the expense of the owners of the property shall be allowed to tap such sewer through any licensed plumber, upon application to the Superintendent of Public Works, who, upon said applicant exhibiting a receipt showing that the assessment against the property along the line of said sewer for the construction of the same has been paid, and otherwise complying with the provisions of this ordinance, shall issue to such person a permit to tap said sewer, and any person tapping any such sewer without the said permit having been first obtained, shall, upon conviction, be fined as hereinafter provided.

Sec. 515. **Tapping—How Made.** All tapping of sewers for house connections shall be made at the "Y" and in case no "Y" has been provided a licensed plumber, upon obtaining permission of the City Engineer or of the Superintendent of Public Works, may cut an opening into said sewer for house connections, but no person in the employ of a licensed plumber shall be allowed to make such opening other than a regular plumber, who must have the proper tools and be educated to the business and qualified to do such work.

Sec. 516. No person shall tap or make connections with any sewer without first notifying the City Engineer or the Superintendent of Public Works, one of whom shall be present when such connection is made. It shall be the duty of the Superintendent of Public Works to note all connections with any sewer in a book suitable for the purpose.

Sec. 517. All applicants for tapping sewers shall state in their application the name of applicant, name of owner, location, number of building and name of street.

Sec. 518. **Garbage, Etc., Not Put In.** No person shall be allowed to dump or place into any sewer pipe leading into any sewer any fish, garbage or offal of any kind.

Sec. 519. **Down Spouts.** It shall be unlawful for any persons, firm or corporation to connect a down spout, roof drainage pipe or surface drainage pipe with any sanitary sewer of the City or, by any means, to cause any roof drainage or surface drainage to be conducted into a sanitary sewer. The foregoing provisions shall apply to the owner or persons in control of the property and also to the contractor or other person who actually makes such connection. Any such down spout or drainage pipe now connected with a sanitary sewer must be disconnected therefrom by the owner or person in control of the property on which the down spout or drainage pipe is situated within ten (10) days from the publication of this ordinance, and a failure to make such disconnection shall be deemed a violation of this ordinance. Any person, firm or corporation violating this section shall be fined not less than three (\$3.00) dollars, nor more than twenty-five (\$25.00) dollars for each offense. The enforcement of this section is hereby placed in the Department of Public Affairs and it shall be the duty of the Mayor, as Commissioner of said Department, to enforce the same by instituting, or causing to be instituted, prosecutions for the violation hereof, and he shall cause to be made, through the Board of Health, or otherwise, as he may deem best, such inspection of premises as may be necessary to determine whether this section is being violated.

Sec. 520. Any person violating any of the provisions of this ordinance (Secs. 512 to 518) shall be fined not less than three (\$3.00) dollars, nor more than twenty-five (\$25.00) dollars.

CHAPTER 14.

SIDEWALKS.

Sec. 521. **General Provisions For Construction Of.** The following general regulations will govern the construction of sidewalks, curb and gutter, and the duties of the City Officials named herein with reference thereto, unless otherwise provided in the ordinance ordering such construction. The word construction shall include reconstruction.

Sec. 522. All the general provisions of Ordinance No. 2498, sections 2 to 10 inclusive, and 22 and 25, relating to the improvement of streets, shall, as far as applicable thereto, and not inconsistent herewith, apply to the construction of sidewalks, curb and gutter, the same as if copied herein at length.

(ORDINANCE 2498.)

Sec. 2. Where the word "city" is used in this ordinance, it shall mean the City of Lexington, Kentucky. The words "Board of Public Works" shall mean the Board of Public Works of the City of Lexington, or the Superintendent of Public Works of said city, if at any time there be no Board of Public Works; the words "City Engineer" shall mean the City Engineer of said City of Lexington, or his duly appointed or elected assistant; the word "contractor" shall mean the person, corporation or firm having the contract for the work in question.

Sec. 3. The work shall be prosecuted on such square or squares as the City Engineer and Board of Public Works may from time to time direct. Each square or squares, as soon as completed (allowing sufficient time for said work to set), shall be thrown open to the public, but such opening and using of the same shall not be deemed or held to be an acceptance of that part of the work. The City may, from time to time, suspend the work at certain places, or altogether, if in its opinion the public needs require it; but said City shall not have the right to stop the work altogether for more than a week at any time, except that whenever in the opinion of the City Engineer and Board of Public Works, the weather is not suitable for doing the work, in which event the work may be suspended. In case of any suspension of work by the City, the time within which the contractor is required to complete said work shall be extended as many days as the same was thus suspended.

Sec. 4. Upon any stoppage of the work all material shall be piled up neatly by the contractor, so as not to impede the travel on the sidewalks, or at the intersection of streets, or the use of fire plugs, and all rubbish or surplus material be removed immediately from the street by the contractor.

Sec. 5. The City expressly reserves the right to construct sewers and connections; to permit connections of private sewers with main sewers; to lay water or gas mains, and to grant permits for house connections with sewers, or with water or gas pipes at any time prior to the completion of the sub-grade, and said City reserves the right to suspend work on any square at any time during the improvement of same for the purpose above stated, and said contractor shall not interfere with or place any impediment in the way of any person or persons who may be engaged in the construction of such sewer or sewers, or in laying such gas or water mains, or making connections therewith, or doing other work above specified. In any such case the contractor shall not be entitled to any damage for the digging up of the streets or for the delay, but shall be allowed and paid for any work or material made necessary on his part, the reasonable cost of the same to be paid by the person constructing said sewers, laying such pipes or making such connections, and no part of such cost shall be estimated in the cost of the improvement of said street. The contractor's time for completing his contract shall be extended as many days as he is thus delayed.

Sec. 6. Any work which does not, in the opinion of the City Engineer and Board of Public Works, comply with the plans and specifications shall be taken up and made to conform thereto at the expense of the contractor.

Sec. 7. All materials must be furnished of the best quality of their respective kinds. No material of any kind shall be used until it has been examined and approved by the City Engineer and Board of Public Works, and any material which, in their opinion, is not in accordance with these specifications shall not be used, and the contractor shall remove same, and the decision of said City Engineer and Board of Public Works shall be final as to the manner of construction and quality of work and material. In case the contractor shall

refuse, after written notice from the City Engineer and Board of Public Works, to remove any rejected rock or material within twenty-four hours, the same may be removed and replaced by the City at the contractor's expense, and all work must be done to the entire satisfaction of, and be approved by the City Engineer and Board of Public Works.

Sec. 8. No extra or customary measurements of any kind will be allowed in measuring the work under these specifications, but the actual length, area, solid contents or number shall be considered. It is understood that the completion of the work done under these specifications includes any and all work that may be necessary to connect the work done with adjoining work in a proper and workmanlike manner. If at any time an overseer or workman, employed by the contractor, is found by the City Engineer and Board of Public Works to be incompetent or disorderly, the contractor shall forthwith dismiss such person, and no longer employ him on any part of the work.

Sec. 9. All necessary night and day guardsmen, barricades and lights shall be employed, erected and maintained on the work by the contractor to protect persons and property from injury, and he shall execute bond to the City, as provided in Ordinance No. 2494 to indemnify the City against any and all claims for damages resulting from obstruction of the street or streets by the contractor, or from any negligence on the part of the contractor or his agent or employes in failing to maintain such guardsmen, barricades or lights or otherwise.

Sec. 10. If in the improvement of a street it becomes necessary to change the grade or location or any water pipe, gas pipe or conduit or any other like thing, or the grade or alignment of any curbing, and if the person or company owning same shall fail, upon notice, to change same, then said change shall be made to the proper line, grade or location by the contractor, and he shall look to the company or person owning the pipes, conduits or curbing for the cost of moving same, and no part of such cost shall be estimated in the general cost of such construction. If for any reason the company or person owning such pipes, conduits or curbing should not be liable for the cost of moving same, by reason of any previous ordinance of, or contract with the City or otherwise, the City shall pay the contractor the reasonable cost thereof out of the apportionment of the city revenues for the year succeeding that in which the work is done.

Sec. 22. All bids shall state prices bid, both in writing and in figures, and must be submitted on blank forms furnished by the City, the General Council reserving the right to reject any or all bids.

Sec. 25. Upon completion of any work, the contractor shall, if required by the City or the Mayor thereof, execute a bond to the City with surety approved by the Mayor, to indemnify the City against the claim or claims of any persons who may have performed labor or furnished material in such improvement.

Sec. 523. The construction of concrete sidewalks, curb and gutter, shall be done in accordance with the specifications of Ordinance No. 1759, and the same may be referred to, and made a part of any ordinance for such work without being copied at length in such ordinance. (Note: Ordinance No. 1759 is as follows):

Sec. 1. That hereafter all sidewalks constructed or reconstructed of concrete shall be constructed or reconstructed in accordance with the following specifications:

Grading. The grading shall be done to the whole width of the sidewalk, and the pavement shall be of such width as the ordinance ordering the work shall prescribe.

Foundation Trenches. The foundation trenches for the sidewalk shall be excavated twelve inches deep, and all soft or spongy places dug out, filled with gravel and rammed without charge; all surplus earth to be removed by the contractor to such places as the Superintendent of Public Works may direct.

Foundation. The foundation shall be the same width as the trench and shall be constructed of a layer of clean cinders entirely free from ashes or refuse or a layer of crushed foundry coke; to be ten inches in depth and to be rammed down to eight inches.

Concrete. After the foundation has been laid it shall be covered with concrete three inches thick, after being well rammed and of the same width as the footway. This concrete shall be made of Portland cement and shall be composed of the following ingredients by actual measurements, viz:

First—One part of Portland cement.

Second—Two parts of clean, sharp sand, free from mud, clay or other foreign matter.

Third—Six parts of clean gravel or macadamizing, each stone measuring not more than two and one-half inches in any direction.

Methods of Preparing—The cement, sand and stone or gravel shall first be mixed dry and made into concrete with very little water and then thoroughly mixed until every piece of gravel is coated with mortar. It shall then be shoveled into place and compressed to the required thickness by hard ramming.

Where to be Mixed—The mortar must be mixed on tight floors; mixing on the bare ground or street surface will not be allowed.

Manner of Placing—Each batch of concrete shall be mixed as above described and used immediately after mixing. The concrete must be separated into blocks thirty inches in length by strips of tar paper or dry sand, carefully set at right angles to the edge of the walk. The foundation must be kept wet while the concrete is being laid thereon and under no circumstances must any concrete which is not covered by the finishing coat be left in the trench. The concrete shall be so laid on the foundation as to leave two inches of the foundation projecting beyond each edge of the concrete. The strips used for forming the sides of the concrete and finishing coat must be four inches in width by two in thickness excepting at curve, when the thickness of same may be reduced sufficiently to allow them to be bent to the proper curve. Concrete removed from the trench must not be used the second time.

Finishing Coat—Upon the concrete above described must be laid a finishing coat one inch in thickness, composed of one part cement of the same brand as used in the concrete and three parts of clean, sharp sand, screened through a No. 5 screen, free from mud, clay or extraneous matter. The sand and cement must be mixed dry and clean mortar bed, and then made into mortar by thoroughly mixing with the necessary amount of water, so as to obtain as homogeneous a mass as possible, to be used immediately after mixing and troweled hard into place, with joints thirty inches apart, immediately over and extending down to the joints into the concrete.

Method of Shaping. The top coat shall be smoothly finished full one inch in thickness and the edges slightly rounded. This top coat must never be placed upon concrete which has become dry.

Protection While Hardening—The entire footway must as soon as it is finished, be protected by suitable covering until it has hardened.

Cement—The cement shall be Portland cement, fine ground, without any lumps, and shall stand a tensile strain of 350 pounds to the square inch, in briquettes one week old, and the same brand and quality of cement shall be used in both the concrete and finishing coat.

Protection of Cement—Cement must be thoroughly protected from the weather while on the ground waiting to be used.

Sand—Sand shall be clean and sharp, well screened through a No. 5 screen, and free from mud, clay or vegetable matter.

Sec. 524. Grade. The grade of any sidewalk, curb or gutter ordered to be constructed shall be as fixed by the City Engineer and set forth on the plan and profile in his office.

Sec. 525. Cost—How Paid. The cost of the construction of sidewalks, curb and gutter shall be paid by assessment of a special and local tax on the property abutting thereon, in the manner provided by law, and the City shall not be liable for any part of such cost. The contractor may, by suit in his own name, or in the name of the City of Lexington, enforce collection of such local and special tax and foreclose the lien therefor, but all such suits shall be at the sole cost and expense, both ordinary and extraordinary, of the contractor, and the City shall not be liable therefor.

Sec. 526. Plans and Profiles. Upon passage of a resolution for the construction of any sidewalk, curb or gutter, the City Engineer will at once prepare all necessary plans and profiles thereof, showing the grade of same, the part already constructed, if any, and of the new work to be done, and keep the same on file in his office, subject to inspection by any one desiring to inspect the same.

Sec. 527. Bids. Upon the passage of an ordinance ordering the construction of any sidewalk, curb or guttering, the Commissioner of Public Works will advertise for a period of not less than five (5), nor more than ten (10) days in the Official Newspaper of the City for bids for such work. All bids must

be sealed and filed with the Commissioner of Public Works and will be opened in the presence of the Commissioners who shall have the right to reject any and all bids. The acceptance of one bid by the Commissioners shall be deemed a rejection of all other bids for the same work. Each bid must be accompanied by a certified check for an amount of money equal to twenty-five (25) per cent. of the entire amount of the bid, which check shall be made payable to said City, as an evidence of good faith of the bidder and shall be forfeited to the City as liquidated damages if the bid be accepted, and the bidder refuse to enter into contract and bond, in accordance with the following section, but no check shall be for less than twenty-five (\$25.00) dollars.

Sec. 528. Contract and Bond. Upon the acceptance of any bid by the Commissioners, the Mayor will enter into a contract with such bidder on behalf of the City for the execution of the work in accordance with the ordinance and bid therefor, and the contractor will execute bond to the City of Lexington, with security to be approved by the Mayor in an amount equal to twenty-five (25) per cent. of the contract price of the work, for the faithful performance of the contract and guaranteeing the work for a period of five (5) years, and that the contractor will, at his own expense, repair and replace any defect which may occur therein within said period, and the said contractor will execute like bond to said City in the sum of one thousand (\$1,000.00) dollars to indemnify the City against any and all loss or damage that it may sustain by reason of any injury to persons or property resulting from the carelessness, negligence or other act of the contractor, his agents or employes in the execution of such work, but nothing herein shall be construed to limit the contractors liability to the sum of one thousand (\$1,000.00) dollars.

Sec. 529. The contractor must begin work within three (3) weeks from the acceptance of his bid, and must prosecute the same with all proper and reasonable diligence until completed, and shall, with reference thereto, be subject to the provisions of Section 24 of Ordinance No. 2498, which is hereby referred to and adopted as part of this ordinance. (Note: Section 24 of Ordinance 2498 is as follows):

Sec. 24. The work under a contract for the improvement of a street with asphalt, shall commence within thirty days from the acceptance of the bid therefor, and be prosecuted to completion with all reasonable diligence, and shall receive the personal supervision of the contractor therefor. If any contractor abandon such work for ten (10) days, or fail to prosecute the same with reasonable diligence for such period, the City may, after ten (10) days' notice in writing to the contractor, or, if he cannot be found, by publishing such notice in the Official Newspaper of the City for ten (10) days, requiring him to resume said work, or to prosecute same with reasonable diligence, and he fail to do so, let the work to another contractor, or the City may have said work done, and, in either case, charge the cost of the completion thereof to the original contractor, and pay the same out of the contract price, and if such contract price be insufficient, the excess shall be paid by the original contractor, and his bondsman be liable therefor, but nothing herein shall be construed as excluding the City from exercising any other right or remedy at law which it may have against any contractor failing to comply with his contract.

Sec. 530. Material, Who the Property Of. All old brick and curbing which may be removed from the street shall be the property of the property owner who may be liable for the cost of the new work, and he shall be allowed forty-eight (48) hours from the time same is taken up by the contractor within which to remove the same. If he does not remove the same within forty-eight (48) hours the contractor shall remove and dispose of same.

Sec. 531. Upon completion of the work the contractor shall thoroughly clean up the street and remove all rubbish before the work will be accepted by the Commissioner of Public Works.

Sec. 532. Upon the completion of the work, in accordance with the contract, the same will be inspected by the Commissioner of Public Works, in the manner provided by law, provided that, in addition to the notice of such inspection provided by law, the said Commissioner will post notices thereof in two conspicuous places on or near said work at least twenty-four (24) hours before the time fixed for such inspection, and will make written report of its inspection to the Board of Commissioners.

Sec. 533. All special assessments and taxes for the construction of sidewalks, curb and gutter shall be due and payable at the office of the City Treasurer immediately upon the publication of the ordinance assessing such taxes. The City Auditor shall keep a record of all such special taxes and assessments in his office in a book to be provided for that purpose, and upon the payment of any such tax to the Treasurer, he will report the same to the Auditor, and the Auditor will make proper entry thereof on said record, whereupon the lien created by said tax shall stand released.

Sec. 534. The City reserves the right to appoint, through its Commissioner of Public Works an inspector of the work at a cost not exceeding three (\$3.00) dollars per day during the progress of the work, to be paid by the contractor, and the amount so paid by him shall be added to the contract price of the work and be included in the assessment therefor.

Sec. 535. A failure of the Board of Commissioners, the Commissioner of Public Works, or any other City Official, to comply with any provisions of this ordinance, shall not affect or invalidate any ordinance for the construction or reconstruction of any sidewalk, curb or gutter, nor the assessment or any levy of any tax to pay for such improvement, unless such failure or omission shall violate the State laws relating thereto.

Sec. 536. **Material To Be Used.** All sidewalks hereafter constructed or reconstructed within the fire limits of the City of Lexington, Kentucky, as now prescribed by ordinance, shall be laid of concrete, and all sidewalks hereafter constructed or reconstructed on all streets not included within said fire limits shall be laid either of brick or concrete, at the option of the property owner, or in the absence of the exercise of such option, of such one of said materials as the General Council shall by ordinance designate.

Sec. 537. The City shall have the right in cases of concrete sidewalks, of laying a grass plot between the outside edge of the concrete and the curb line where there is already a concrete sidewalk and grass plot along a portion of the block, or where the proposed sidewalk is the first to be built of concrete, so that the sidewalks shall in all cases be uniform on each block.

Sec. 538. **Changing Grade.** Any person who shall change the grade of a sidewalk by elevating or depressing the curbing or paving shall restore the grade and make all proper changes under the supervision of the Superintendent of Public Works, and shall be subject to a fine of not less than five (\$5.00) dollars, nor more than fifty (\$50.00) dollars for his failure to restore the grade and make such changes within thirty (30) days after being notified to do so.

Sec. 539. **Repairing.** It is hereby made the duty of all property owners to keep the sidewalks in front of their property in good repair, and their failure to repair said sidewalks within thirty (30) days after being notified to do so by the Superintendent of Public Works shall subject them to a fine of not less than five (\$5.00) dollars, nor more than fifty (\$50.00) dollars.

Sec. 540. **Holes in Sidewalks.** Whenever the Commissioner of Public Works ascertains the existence of holes or other defects in sidewalks of the City of Lexington, it shall be his duty to forthwith notify, in writing, the owner of

the property abutting upon such defective sidewalk, to repair the same at his own expense within a period of ten (10) days after the delivery of such notice. If such owner be a non-resident of the City of Lexington, or cannot be found, the notice may be delivered to his agent having charge of the property, and if there be no such agent, it may be delivered to the occupant of the property. Such notice may be delivered by any police officer of the City of Lexington, or by any other person authorized by law to serve a notice.

Sec. 541. It is hereby made the duty of each owner of property in the City of Lexington, within ten (10) days after receipt of the notice provided for in Section 1 of this ordinance (Sec. 539 Revised Ord.), to repair, at his own expense, all holes, uneven surfaces and other defects in the sidewalk, on which his property abuts, as specified in the notice, using therefor materials as nearly similar as possible to that of which such sidewalk is constructed. If such owner be a non-resident of the City of Lexington, or cannot be found, it shall be the duty of his agent in charge of said property, upon receipt of such notice, to make said repairs as herein required and if there be no such agent, it shall be the duty of the occupant of the property, upon receipt of such notice, to make such repairs as herein required.

Sec. 542. Any owner, or agent of such owner, or occupant of property who shall fail to make the repairs in such defective sidewalks, as provided in section 539 within ten (10) days after receiving the notice provided for in this ordinance, shall be fined not less than one (\$1.00) dollar, nor more than five (\$5.00) dollars for each offense; and each day the said work remains undone after said period shall be deemed a separate offense.

Sec. 543. This ordinance shall in no wise waive or affect the right of the City of Lexington, or its Board of Commissioners to order the reconstruction of any such sidewalk, in the manner now provided by law, at any time it may be found proper and necessary to do so.

Chapter 15., Article 1.

STREETS—TRAFFIC ON.

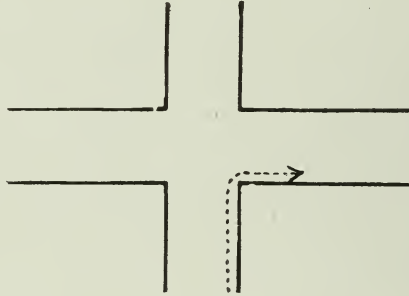
Sec. 544. **Rules For Driving.** Rule 1. Slow-moving vehicles shall keep as near to the right hand curb as possible, so as to leave room in the middle of the street for vehicles going at a greater speed.

Rule 2. A vehicle meeting another shall pass on the right.

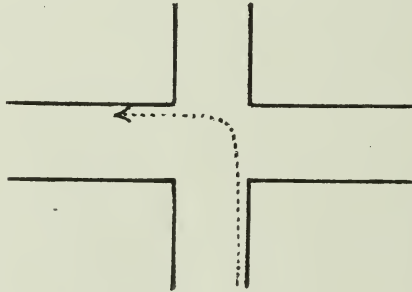
Rule 3. A vehicle overtaking another shall pass on the left side of the overtaken vehicle and not pull over to the right until entirely clear of it.

Rule 4. An avenue or street with an avenue or park-way or car track in the middle shall be considered as having but one roadway, and vehicles shall keep to the right of the center line except when it is necessary to cross it to pass a vehicle ahead going in the same direction.

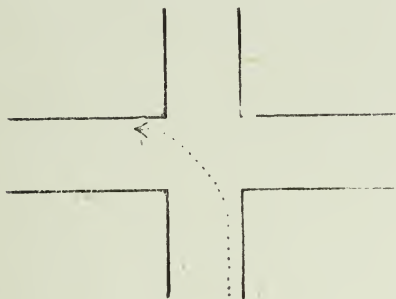
Rule 5. A vehicle turning into another street to the right shall turn the corner as near the right hand curb as practicable, thus :



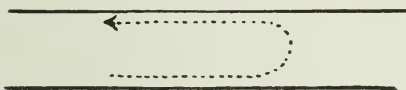
Rule 6. A vehicle turning into another street to the left shall turn around the center of the intersection of the two streets, thus :



Not this way:



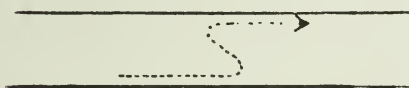
Rule 7. A vehicle crossing from one side of the street to another shall do so, thus:



Not this way:



Not this way:



Rule 8. No vehicle shall stop with its left side to the curb within the fire district, bounded on the north and south by Third Street and Maxwell Street, on the east and west by Rose Street and Spring Street.

Rule 9. No vehicle, unless in an emergency or to allow another vehicle or pedestrian to cross the path, shall stop in any public street or highway, except near the right-hand curb thereof and so as not to obstruct a crossing.

Rule 10. No vehicle shall back to make a turn in any street, if by so doing it interferes with other vehicles, but shall go around the block or to a street sufficiently wide to make a turn in without backing.

Rule 11. In slowing up or stopping, a signal shall always be given to those behind by raising the whip or hand vertically.

Rule 12. In turning, while in motion, or in starting to turn from a standstill, a signal shall be given by raising a whip or hand, indicating the direction in which the turn is to be made.

Rule 13. One (1) blast of police whistle indicates that east and west traffic is to stop. Two (2) blasts, that north and south traffic is to stop. Vehicles must stop so as not to interfere with the passage of pedestrians at crossings. Three (3) or more blasts is a signal of alarm and indicates the approach of a fire engine or some other danger.

Rule 14. The officers and men of the fire department and fire patrol with the fire apparatus of all kinds, when going to, on duty, at, or returning from a fire, and all ambulances, the officers, vehicles and men of the police department and United States mail wagons shall have the right of way in any street and through any procession.

Rule 15. Subject to Rule 1. Everything being equal on all public streets and highways of the city all vehicles going in an easterly or westerly direction shall have the right of way over all vehicles going in a northerly or southerly direction.

Rule 16. Subject to Rule 1. Surface cars, running on tracks laid in the streets especially for their use, shall have the right of way along such tracks between cross streets, over all other vehicles, and the driver of any vehicle proceeding on the track in front of a surface car, shall immediately turn out upon signal given by the motorman or driver of the car.

Rule 17. A vehicle waiting at the curb, shall promptly give place to a vehicle about to take on or let off passengers.

Rule 18. The driver of any vehicle shall immediately draw up said vehicle as near as practicable to the right-hand curb, and parallel thereto and bring it to a standstill on the approach and during the passing of a fire engine, or any other fire apparatus apparently going to a fire.

Rule 19. The driver of a surface car shall immediately stop said car and keep it stationary upon request of the driver of a fire engine or other fire apparatus until said fire engine or other fire apparatus shall have passed by said surface car. It shall be the duty of the conductor or guard to immediately stop said car and keep it stationary if he hears the request before the driver of said car.

Rule 20. No vehicle shall proceed at any time at a greater rate of speed than the law allows and is safe and proper under the conditions then obtaining.

Rule 21. No vehicle shall cross any street or avenue or make a turn at a speed rate exceeding one-half ($\frac{1}{2}$) its legal speed limit.

Rule 22. A driver of a vehicle overtaking surface cars and passing on its right side shall exercise due caution not to interfere with or injure passengers getting on or off said car.

Rule 23. No one in any street or highway shall drive a vehicle that is so covered in or constructed as to prevent the driver thereof from having a sufficient view of the traffic following and at the sides of such vehicle.

Rule 24. No one shall ill treat, overload, over drive, over ride, or cruelly or unnecessarily beat any horse.

Rule 25. No one shall crack or so use a whip as to annoy, interfere with or endanger or excite any horse other than that which he is using.

Rule 26. The roadbeds of highways and streets are primarily intended for vehicles, but pedestrians have the right to cross the roadbeds of highways and streets in safety, and drivers of vehicles should exercise all possible care not to injure pedestrians. Pedestrians should, on their part, never step from the sidewalk to the roadbed without first looking to see what is approaching, and should not needlessly interfere with the passage of vehicles.

Rule 27. By crossing the roadbeds of highways and streets as nearly as possible at right angles, and preferably at the regular crossings, pedestrians will greatly add to their own safety and also better time to be made by vehicles, as well as making it much less difficult for drivers and for horses, which often have to be reined in suddenly and painfully to avoid careless and unthinking pedestrians. Nothing in the foregoing should excuse drivers from constant vigilance

to avoid injury to pedestrians under all conditions. Pedestrians are warned against standing on the roadbeds of highways or streets.

Rule 28. The word "vehicle" includes equestrians, led horses, and everything on wheels or runners, except street cars and baby carriages.

Rule 29. The word "horse" includes all domestic animals.

Rule 30. The word "driver" includes the rider or driver of a horse, the rider of wheels and the operator of a motor vehicle.

Rule 31. Drivers must at all times comply with any reasonable direction by voice or hand of any member of the Police Force, as to stopping, starting, or approaching from any place, the manner of taking up or setting down passengers or loading or unloading goods in any place. All drivers of vehicles are required to comply with these rules in order to facilitate traffic, prevent blockades, avoid accidents and loss of life, and diminish the loss of time and money, due to the lack of observance of rules for the regulation of street traffic.

Rule 32. Failure to comply with the provisions of this ordinance, shall subject the offender to a fine in Police Court of not less than one (\$1.00) dollar, nor more than five (\$5.00) dollars for each offense.

Sec. 545. **Congested District Defined.** The territory, within the City of Lexington, bounded on the north by Short Street, on the south by Vine Street, on the west by Broadway and on the east by Walnut Street, including the portions of said streets constituting said boundary lines, is hereby defined and described as the "congested district" within the meaning of this ordinance.

Sec. 546. **Street Defined.** The word "street" as used in this ordinance and other ordinances of the City, includes all public streets, alleys, avenues, parkways, boulevards, viaducts and all other public ways of the city.

Sec. 547. **Vehicle Defined.** The word "vehicle" as used in this ordinance and other ordinances relating to traffic regulation, includes equestrians, led horses and every kind of vehicle on wheels or runners, except baby carriages, toy wagons and sleds, and except railroad, interurban and street cars, when not expressly referred to.

Sec. 548. **Driver Defined.** The word "driver" includes the rider or driver of a horse or other animal, the rider of wheels and the operator of a vehicle, bicycle, motorcycle, automobile, street car or interurban car.

Sec. 549. **Motor Vehicle Defined.** A motor vehicle, within the meaning of this ordinance, shall include automobiles, motorcycles, electric cars and all other self-propelled vehicles except street cars and interurban cars.

Sec. 550. **Police Control.** The Police Department shall exercise all powers and duties in relation to the management and control of vehicular traffic and to the protection of street car and interurban passengers and pedestrians and to facilitate the loading and unloading of street cars and interurban cars.

Sec. 551. **Signals.** One (1) blast of the policeman's whistle indicates that the north and south traffic may proceed and east and west traffic will stop. Two (2) blasts of the whistle indicate that east and west traffic will proceed and north and south traffic will stop. Three (3) or more blasts of the whistle indicates approach of fire or police apparatus or some threatened danger. At this signal all vehicles will draw up to the right curb and stop, and all street cars and interurban cars will stop until signaled to proceed. The position in which the traffic policeman is faced will indicate the direction of travel, which will move parallel to his front. If he is faced to the east or west, north and south traffic will proceed and east and west traffic will stop. If he is faced to the south or north, east and west traffic will proceed and north and south traffic will stop.

Sec. 552. **Public Gatherings.** At theatres and other public gatherings, or whenever traffic becomes crowded and congested, vehicles will stand or move as directed by the police, and drivers of all vehicles and all pedestrians shall stop and proceed immediately upon the signal by voice, hand or otherwise, of any policeman.

Sec. 553. **Pedestrians.** Pedestrians crossing any street at the intersection thereof with another street, within the congested district, will pass over that part of the street included within the line of the sidewalk projected and not diagonally. They will keep to the right on all walks and drives and stop only at or near the curb or house-line and not in the center of the walk. They will be controlled by the rules and regulations herein provided for vehicular traffic.

Sec. 554. **Motor Vehicles.** All non-residents, remaining in the City for a period of more than ten (10) days and having motor vehicles in the city should register such vehicles at the office of the City Clerk in the manner provided for such registration in Section 559.

Sec. 555. **Speed.** It shall be unlawful to operate any motor vehicle at a greater rate of speed than twelve (12) miles an hour within the congested district of the City or at a greater rate of speed than eighteen (18) miles an hour in the remaining portion of the City, or to turn any such vehicle around any street corner or to cross any street in the congested district of the City at a greater rate of speed than eight (8) miles an hour, or to turn any such vehicle around any street corner or to cross any other street in any other portion of the City at a greater rate of speed than ten (10) miles an hour.

Sec. 556. **Signals.** Every motor vehicle being operated upon the streets of the City shall be provided with a suitable bell, reed-horn or other signal device by which ample warning of the approach of such vehicle can be given. It shall be unlawful for any person operating such vehicle to make, or cause to be made, between the hours of 7 p. m. and 8 a.m., any signal except with a bell or reed-horn, or to make any unnecessary noise at any time with such bell, horn or signal device, or to use the same except as a warning of danger. The driver or person in control of any motor vehicle, upon approaching a street crossing or street intersection, shall give a warning by means of a bell, horn or other signal device which shall be of sufficient volume and be given in ample time, to give notice of the approach of such vehicle to persons who may be approaching such crossing or intersection from other directions and enable them to avoid collision with such vehicle. It shall be the duty of the driver of all motor vehicles intending to turn to the right to extend the right arm from the body with waving motion to the right; if said driver intends to turn said motor vehicle to the left, he shall extend the left arm from the body with a waiving motion to the left; if the motor vehicle be so closed in as to prevent such signalling with the arms, the driver of said vehicle shall sound the signal device of his car, if intending to turn to the right, one (1) long blast; if intending to turn to the left, two (2) sharp blasts.

Sec. 557. **Lamps.** During the period from thirty (30) minutes after sunset to thirty (30) minutes before sunrise, each automobile or similar vehicle shall have at least two (2) lamps burning on such vehicle, one of which shall be in front of sufficient illuminating power to be distinctly visible at a distance of three hundred (300) feet, and one in the rear of sufficient illuminating power to be distinctly visible at a distance of two hundred (200) feet, and each motorcycle shall have one (1) burning lamp attached thereto casting a light in the direction in which the same is going of sufficient illuminating power to be visible at a distance of two hundred (200) feet.

Sec. 558. Muffler. Every motor vehicle, while being operated on any of the streets of the City of Lexington, shall be equipped with a muffler or silencer which shall be kept closed, through which all of the exhaust gases from the engine will escape into the atmosphere, and it shall be unlawful for the driver of any such motor vehicle to use any cut-out, fitting or other apparatus or device to escape without passing through a suitable muffler or silencer as described in this section: Provided; That this section shall not apply to the exhaust from a steam horn used as a signal device.

Sec. 559. Registration. Each owner of a motor vehicle as defined in Section 549, which is required by a state law to be registered with the Secretary of State, shall exhibit his certificate of registration to the City Clerk of the City of Lexington and register with said clerk the number assigned by the Secretary of State to such motor vehicle, together with the name and address of the owner thereof. Each owner of a motor vehicle as defined in section 549, which is not required by the state law to be registered with the Secretary of State, shall register the name with the City Clerk, together with his name and address, and the said clerk will thereupon assign a number to such vehicle and will provide and furnish such number to the owner of the vehicle in aluminum figures not less than two and a half ($2\frac{1}{2}$) inches in height, constructed in such a manner as to be attachable to the vehicle, and it shall be the duty of such owner to attach the number securely to the vehicle so as to be plainly visible from the rear. The City Clerk will keep a record of each number assigned and issued by him, as above provided with the name and address of the person to whom issued and the kind of machine. Said clerk is authorized to have constructed such numbers as may be necessary for the aforesaid purpose at an expense not exceeding fifty (50) cents per number. This section shall apply to motor vehicles owned by residents of Lexington and Fayette County and operated in the City of Lexington, and shall not apply to vehicles owned by non-residents of said City and County except as provided in section 554.

Sec. 560. Registration Fee. Any person desiring to register a motor vehicle with the City Clerk and procure a number therefor, shall first pay a registry fee of one (\$1.00) dollar to the City Treasurer and secure a receipt therefor and present same to the City Clerk. The fees collected under this section shall be used to pay for the numbers and other expenses incident to the registration required by the preceding section. No fee shall be charged for the registration of a motor vehicle with the City Clerk in accordance with section 559, if said motor vehicle has been registered with the Secretary of State.

Sec. 561. Standing. No motor vehicle shall be left standing unattended, at any time on the streets of the city with the engine of the vehicle running; nor shall any such vehicle be allowed to stand more than five (5) minutes at a time in any part of the congested district of the City unless the lights thereon are turned down or dimmed to prevent the same from casting a glare or blinding light.

Sec. 562. Parking Vehicles, Allowed Where. Between the hours of 8 a. m. and 7 p. m. no vehicle of any kind shall be left standing in the congested district more than thirty (30) minutes at a time without an attendant; Provided, That the foregoing provisions of this section shall not apply to vehicles parked on the Courthouse side of Upper Street, and Cheapside, from Main Street to Short Street, and of Short Street, from Upper Street to Cheapside, and provided further, that the parking of vehicles on the above named streets shall be subject to control of the Traffic Officers of the Police Department, who shall not permit such parking of vehicles to materially interfere with, or blockade the use of said streets by other vehicles, and provided further that such Traffic Officers may, at

any time, in case of congestion in any part of the congested district, direct and require that vehicles be taken to the above designated places to be parked.

Sec. 563. **Approaching Car—Emerging From Garage.** It shall be unlawful for the driver or person in control of any motor vehicle approaching a street car or interurban car which has stopped, or is about to stop, to take on or discharge passengers, to pass to the right of such car while it is standing still. No vehicle shall emerge from any alley, stable or garage at a rate of speed faster than an ordinary walk, and in case of motor vehicles emerging from a garage, alley or inclosure, a proper warning shall be given to passing vehicles and pedestrians.

Sec. 564. The driver or person in control of any motor vehicle, before leaving the same standing unattended upon the streets of the City, shall stop the engine of the car and take all reasonable precaution to prevent the starting of such vehicle by unauthorized persons. It shall be unlawful for any person, without permission of such driver or persons in charge of such vehicle, to climb upon the same or sound any bell or other signal thereof, or attempt to manipulate any of the machinery of the vehicle or set the same in motion, or interfere with such vehicle in any way.

Sec. 565. **Penalty.** Any person who shall violate this ordinance by doing any act herein prohibited or by failing to do any act or thing herein required of him, or required with reference to any vehicle owned, controlled or operated by him, or by operating any vehicle, street car or interurban car upon the streets of the City in any manner contrary to the provisions of this ordinance, or without having complied with any of the requirements hereof, shall be fined not less than twenty-five (\$25.00) dollars for each offense; and the owner of every motor vehicle, as described in this ordinance, shall be jointly liable with the person using, running or operating the same in violation of the provisions of this ordinance, in all cases, except where such motor vehicle is taken from the possession of the owner without his knowledge or consent.

CHAPTER 15. ARTICLE 2.

STREETS—PRIVATE USE.

Sec. 566. **Awnings.** All persons, firms or corporations desiring to erect, keep or maintain in or over the sidewalk, street or alley or other thoroughfare, any awning or shed must apply to the Superintendent of Public Works for a written permit to erect said awning or shed and said permit shall be approved by the Mayor, and must state the kind and style of awning or shed to be erected.

Sec. 567. It shall not be lawful to erect, keep or maintain in or over any sidewalk, street or alley, or other thoroughfare, any awning which shall not extend to the line of the curbstone of the footway or pavement in front of the premises before which said awning shall be placed, unless prevented by some lawful obstruction, the lower part of the eave thereof being not less than nine (9) feet above the curbstone, and so constructed as to throw the water falling thereon into the gutter of the streets, and be supported by iron posts of suitable size. There shall be no side or end wings or any rail attached to said awning or iron posts. Any person violating the provisions of this section shall be fined not less than five (\$5.00) dollars, nor more than twenty-five (\$25.00) dollars. And each twenty-four (24) hours that the violation continues shall be a separate offense.

Sec. 568. **Encroachment on Alleys.** The owners and controllers of all buildings, fencing or improvements of any kind encroaching on the public alleys of the city, and of all obstructions of any kind or description on same, whether the said encroachments and obstructions be on the ground or over-hanging or projecting over the said alleys, are hereby ordered and directed to remove the same at once, and all permits or licenses heretofore granted to erect or maintain such obstructions or encroachments on or over the said alleys are hereby revoked, and all ordinances or resolutions granting such permits or licenses are hereby repealed.

Sec. 569. For each day the owners or controllers of such obstructions or encroachments permit the same to remain on, or over the said alleys, they shall be subject to a fine of five (\$5.00) dollars. Should the owners or controllers of said obstructions or encroachments fail or refuse to remove the same at once, the Commissioner of Public Works is hereby authorized and directed to remove same.

Sec. 570. **Excavations in Streets, Etc.** No person shall make any excavation in any street, or take therefrom any earth without first having obtained the written permission of the Superintendent of Public Works.

Sec. 571. That before any permit be granted by the Superintendent of Public Works to any one whomsoever to open or excavate any alley, street or thoroughfare for any purpose whatsoever, said applicant shall deposit with the Mayor the sum of twenty-five (\$25.00) dollars, and must present the receipt of the Mayor for same to said Superintendent. Said sum shall be held by the Mayor until he is notified by the Superintendent of Public Works that the alley, street or thoroughfare excavated or opened has been restored to its proper condition, and in the event that said street so opened under a permit granted upon the deposit of said sum, be not restored to as good condition as before said opening or excavating was made, within thirty (30) days from date of said permit, then the Mayor is empowered to cause said alley, street or thoroughfare to be restored under the direction of the Superintendent of Public Works and to pay for restoration out of said sum deposited. The balance, if any, shall then be returned to the depositor.

Sec. 572. Whoever shall dig, or cause to be dug, any excavation adjoining any street or alley, and shall not cause the same to be fenced in during the night, while work is in progress, with a fence three (3) feet high, made of planks or boards, shall be fined three (\$3.00) dollars for each night said excavation shall remain unfenced as required by this section.

Sec. 573. Any person who shall dig, or cause to be dug, any hole or excavation in any of the streets or alleys in the City, for the purpose of improving an adjoining lot, or for any public work shall replace the same within twenty-four (24) hours after the work has been completed.

Sec. 574. Hereafter all tearing up of brick or macadam streets in the City of Lexington shall be done by the City of Lexington through the Superintendent of Public Works, and he is required to, at a short notice, hold in readiness a special corp of competent employees and supplies for the purpose and charge therefor to the plumbers a fair price per foot commensurate with the labor performed, and that said Superintendent provide a schedule of prices for said work, for plumbers of Lexington.

Sec. 575. **Use of Street or Sidewalk for Construction Work.** Any person engaged in erecting a building, constructing a sidewalk, or reconstructing a street in this City, shall be allowed the use of so much of the street or sidewalk as may be reasonably necessary on which to deposit the material used in such work; Provided, that enough of said street and sidewalk shall be kept unobstructed as to permit the free passage of vehicles and pedestrians along the same; and, provided, further, that the space so occupied shall at no time exceed one-half ($\frac{1}{2}$) of the street and one-half ($\frac{1}{2}$) of the sidewalk. Material shall not be deposited in such manner as to fill up or obstruct any gutter, and it shall be the duty of the person having such work done, and the contractor doing the same, to place signals at both ends of such deposit of material and to keep the same lighted during the night. The deposit of the material and the use of the street herein provided for shall be subject to the direction of the Superintendent of Public Works who may require said material to be surrounded by a fence or other enclosure. Within three (3) days after the completion of the work, all of the remaining material and rubbish left from same shall be removed from the street or sidewalk, and if any injury or damage has been done to either street or sidewalk, it shall at once be repaired by the owner and contractor to the satisfaction of the Superintendent of Public Works. Any person violating any of the provisions of this section shall be fined not less than five (\$5.00) dollars, nor more than twenty-five (\$25.00) dollars. (See Buildings.)

CHAPTER 15. ARTICLE 3.

PRESCRIBING UNIFORM REGULATIONS AND SPECIFICATIONS FOR THE IMPROVEMENT OF STREETS.

Sec. 576. **General Provisions Shall Govern.** The following regulations and specifications for the improvement of streets, avenues and public ways of the City of Lexington, and for the guidance of the City officials named herein are hereby adopted; and the improvement of any street, avenue or public way with any material named herein shall be done in strict accordance with, and subject to, the provisions of this ordinance and the specifications prescribed herein for that material, unless otherwise provided in the ordinance ordering such improvement.

Sec. 577. **Definition.** Where the word "City" is used in this ordinance, it shall mean the City of Lexington, Kentucky. The words "Board of Public Works" shall mean the Board of Public Works of the City of Lexington; the words "City Engineer" shall mean the City Engineer of said City of Lexington, or his duly appointed or elected assistants. The word "Contractor" shall mean the person, corporation or firm having the contract for the work in question. If at any time there is no Board of Public Works, the duties herein prescribed for said Board shall be performed by the Superintendent of Public Works or such other officer, agent or employee as the General Council may designate.

Sec. 578. **Grade.** The grade of a street ordered to be improved shall be as fixed by the City Engineer, and set forth in the plans and profile on file in his office.

Sec. 579. **Assessment of Cost.** The cost of such improvement shall be paid by assessment of a special or local tax on the abutting lots and parcels of land in the manner provided by law, the City paying for the improvements of intersections of other streets, but mere repairs not amounting to a reconstruction or resurfacing, shall be paid for by the City out of its general fund; Provided the improvement of that part of any street lying between the rails of the tracks of the Kentucky Traction and Terminal Company and eighteen (18) inches outside thereof, and between its double tracks, including repairs to such portions of the street, shall be paid for by such railway company and be assessed against its property as provided by law. If any improvement is made on the ten (10) year or other annual payment plan, the City will, upon completion and acceptance of the work, issue bonds for such part of the cost thereof as may not be paid in cash, and for the payment of which agreements are signed as provided by law, and will apply the proceeds of such bonds, when sold or deliver them to the Contractor, as provided in Section 3102 Kentucky Statutes, in payment for such work. Said bonds will be exempt from taxation by the City.

Sec. 580. **Collection of Assessments.** The Contractor may, by suit in his own name or in the name of the City, enforce collection of such local and special taxes and foreclose the lien therefor, but all such suits shall be at the sole cost and expense, both ordinary and extraordinary, of the Contractor, and the City shall be liable for no part thereof. The City agrees to bring suit, within a reasonable time after the same becomes delinquent, for the collection of delinquent assessments in cases where the persons owing such assessments have entered into agreements with the City to pay same and to waive all defenses to the payment thereof, in the manner provided by Section 3101, Kentucky Statutes, and amendments thereto.

Sec. 581. **Old Material.** In the improvement of streets previously improved at the cost of abutting property owners, each property owner shall be entitled to his proportion of the old material abutting his property, but must remove same within forty-eight (48) hours from the time it is loosened and ready to be taken from the street. If not so removed by the owner, the City may designate in the ordinance ordering such improvement its right to all or any part of such material, and require the contractor, at his own expense, to remove same to any point designated by the City Engineer not to exceed two thousand and five hundred (2,500) feet, and should the distance exceed this, then the contractor shall be allowed one (1) cent per cubic yard for each additional one hundred (100) feet, to be paid for as extra. Unless otherwise provided, the contractor may use such old material in the new work as may be satisfactory to the Engineer, or at his own expense remove all or the remainder from the work. In the event it is necessary for the City to provide a place for the disposal of such material not used or disposed of by the contractor, the distance and terms of such haul shall be as above set forth.

Sec. 582. **Advertisement for Bids.** Upon the passage of an ordinance ordering the improvement of any street by local assessment, the Commissioner of Public Works shall advertise for a period of not less than five (5) days in the Official Newspaper of the City for bids for the work, stating time and place when bids will be opened, and report all bids to the Board of Commissioners or other governing authority of the City, which shall have the right to reject any or all bids.

Sec. 583. **Bids.** Each bid on each separate piece of work shall be accompanied by a certified check, payable to the City of Lexington, in such sum as the ordinance for the improvement shall require, and if no amount is fixed by such ordinance, the check shall be for five hundred (\$500.00) dollars, the same to become the property of the City as liquidated damages, if such bid be accepted and the bidder fails to enter into contract with the City for the work, and execute bond therefor as provided in the next section; or, the bidder may accompany his bid by a bond to the City in said required sum, made on a form to be provided by the City, with some solvent guarantee company, authorized to do business in Kentucky, as surety, the amount of said bond to become payable to the City as liquidated damages if the bid be accepted and the bidder fails to enter into contract and to execute bond as provided in Section 584. Bids shall include the cost of all necessary grading and excavation, no separate bid being made therefor, but the cost of same being included in the bid for the other items of the work. For improvement of streets having street railway tracks thereon, separate bids shall be submitted for that part of the work to be paid for by the railway company. Upon receipt of bids the General Council may determine the kind of material to be used and accept a bid for that material. Bids will be opened publicly by the Mayor and Joint Improvement Committee at the time and place designated in the advertisement. When any bid is rejected the check deposited therewith shall be returned to the bidder, or the bond shall be cancelled. An acceptance of a bid for any work shall be deemed a rejection of all other bids for the same work. On streets where the Kentucky Traction and Terminal Company maintains car lines two bids must be submitted; one on the portion of the street to be maintained by said Company, and one on the remainder of the street, the City reserving the right to accept the bids as to the whole street or just as to the part not maintained by the Railway Company. All bids shall state prices bid both in writing and in figures, and must be submitted on blank forms furnished by the City to the bidder. All bids must be sealed.

Sec. 584. **Contract and Bond.** Upon the acceptance of a bid for any such improvement, the bidder shall, without unnecessary delay, and within thirty (30)

days from the acceptance of his bid by the General Council, enter into contract with the City for such work in accordance with the ordinances and specifications therefor, and shall execute to the City a bond in a sum equal to thirty (30) per cent. of the total amount of his bid as estimated by the City Engineer, with some solvent guarantee company authorized to do business in Kentucky, as surety, for the full, complete and faithful performance of the contract in every respect, and that the bidder will indemnify the City against any and all loss or damage it may sustain by reason of any injury to persons or property resulting from the negligence, carelessness or other act of the Contractor, his agents or employees, in the execution of the work, other than injury to property necessarily caused by the proper execution of the work as required by the ordinance therefor. If any damage suits are brought against the City for any such injury to person or property, the Contractor shall immediately, upon receipt of notice from the City of such suit, assume the defense of same and bear all expenses thereof and satisfy any judgment which may be obtained therein against the City. Such bond shall guarantee the work for a period of five (5) years from completion and acceptance thereof if the improvement be of brick, asphalt, asphalt block, granite, concrete or other improved material, and for a period of two (2) years if the improvement be with macadam, or asphalt binder, against all defects occurring therein by reason of defective workmanship or material, and that the contractor will, at his own expense, repair all such defects occurring in said work within such periods, and it shall be a further condition of said contract and bond that if the Contractor fails to make any such repairs for twenty (20) days after notice from the City, delivered to him or mailed to him at his last known address, the City may make such repairs and charge the cost of same to the Contractor, and the said Contractor and his bondsmen shall be liable to the City for the cost of said repairs. In the improvement of streets having thereon tracks of the Kentucky Traction and Terminal Company, the Contractor will execute a like bond to said Company as to its part of said improvement.

Sec. 585. Prosecution of Work. The Contractor shall begin work within thirty (30) days from the acceptance of his bid and will use all reasonable and proper diligence in prosecuting the same to completion with an adequate force of men and teams and the necessary appliances and machinery to carry on the work, without interruption, in a manner and with such speed and progress as will be commensurate and in keeping with the character, extent and magnitude of the work to be done.

For any reason satisfactory to it, the Joint Improvement Committee may postpone the date for the commencement of work upon any street, alley or public way for a reasonable time, and may suspend such work when commenced for a reasonable time; but, in the event of such postponement or suspension, a corresponding period of time in fair working-weather shall be added to the time for the completion of the work.

The work shall be done in a proper and first class manner in every respect, and shall conform strictly to the prescribed plans and specifications. If any contractor abandon such work for ten (10) days, or fail to prosecute the same with the required diligence for such period, except for causes beyond his control, the City may, after ten (10) days' written notice, delivered to the contractor, or mailed to him at his last known address, let the work to another contractor, or may have said work done and, in either case, charge the cost of the completion thereof to the original contractor, and pay the same out of the contract price, and if such contract price be insufficient, the excess shall be paid by the original contractor, and his bondsmen shall be liable therefor, but nothing herein shall be construed as excluding the City from exercising any other right or remedy at law which it may have against any contractor failing to comply with his contract.

Sec. 586. **Use of Street Not Deemed Acceptance.** The work shall be prosecuted on such square or squares as the City Engineer may from time to time direct. Each square or squares, as soon as completed (allowing sufficient time for said work to set) shall be thrown open to the public, but such opening or using of the same shall not be deemed or held to be an acceptance of that part of the work.

Sec. 587. **Travel Not To Be Impeded.** Upon any stoppage of the work all material shall be piled up neatly by the Contractor, so as not to impede the travel on the sidewalks, or at the intersection of streets, or the use of fire plugs. Upon completion of the work all rubbish or surplus material must be removed immediately from the street by the Contractor.

Sec. 588. **Gas, Water and Sewer Lines.** The City expressly reserves the right to construct sewers and connections; to permit connections of private sewers with main sewers; to lay water or gas mains, and to grant permits for house connections with sewers, or with water or gas pipes at any time prior to the completion of the sub-grade, or the City Engineer may order the Contractor to do the same, and the City reserves the right to suspend work on any square at any time during the improvement of same for the purpose above stated, and the Contractor shall not interfere with or place any impediment in the way of any person or persons who may be engaged in the construction of such sewer or sewers, or in laying such gas or water mains, or making connections therewith, or doing other work above specified. In any such case the Contractor shall not be entitled to any damage for the digging up of the streets, or for the delay, but shall be allowed and paid by the City for any work and material made necessary on his part at the actual cost thereof plus fifteen (15) per cent., and no part of such cost shall be estimated in the cost of the improvement of said street, nor shall the Contractor be held responsible for damage to any pipes, sewers, conduits, etc., that are above the sub-grade, but he shall use all reasonable care in preventing damage thereto. The Contractor's time for completing his contract shall be extended as many days as he is thus delayed.

If, in the improvement of a street, it becomes necessary to change the grade or location of any water pipe, gas pipe or conduit, or any other like thing, and if the person or company owning same shall fail upon notice to change same, then said change shall be made to the proper line, grade or location by the contractor, and the City shall pay him therefor, and such person or company shall be held liable to reimburse the City.

Sec. 589. **Material.** All materials furnished, unless otherwise specified, must be of a quality equal to the best of its respective kind and must meet with the approval of the City Engineer, and any work or material not in accordance with the specifications, or damaged from any cause before the completion or acceptance, shall be rejected by the Engineer and ordered acceptably replaced.

In case the Contractor shall refuse to begin after written notice from the City Engineer to remove such rejected material or repair such rejected work within twenty-four (24) hours, the same may be removed and replaced by the City at the Contractor's expense.

The Contractor shall, whenever required, furnish to the City Engineer samples of any materials proposed to be used by him. Where samples fail to stand required test, cost of same must be borne by the Contractor, otherwise they shall be included in the cost of such construction and charged to abutting property.

Sec. 590. **Measurements.** No extra or customary measurements of any kind will be allowed in measuring the work under the specifications, but the

actual length, area, solid contents or number shall be considered. If at any time an overseer or workman, employed by the Contractor, is found by the City Engineer and Board of Public Works to be incompetent or disorderly, the Contractor shall forthwith dismiss such person, and no longer employ him on any part of the work.

Sec. 591. **Precautions.** All necessary night and day guardsmen, barricades and lights shall be employed, erected and maintained on the work by the Contractor to protect persons and property from injury.

Sec. 592. **Inspectors.** The City Engineer is authorized to employ inspectors of street construction work, not exceeding one inspector for each street under construction, at a cost of not exceeding three (\$3.00) dollars per day for each inspector, during the progress of the work, to be paid by the City, and the amount so paid shall be added to the contract price of the work and included in the assessment therefor, and the amount so paid shall be deducted by the City from the first funds paid in on account of the assessments for such work and replaced to the fund from which it was drawn.

Sec. 593. **Tax Bills.** Upon passage of an ordinance making an assessment and levying a special tax for a local improvement, the Auditor shall make out proper tax bills for the tax so assessed and levied, and place them in the hands of the City Treasurer for collection. The City Treasurer will thereupon publish in the Official Newspaper of the City a notice requiring all owners of property fronting and abutting on such improvement to pay the taxes so assessed and levied upon their said property within thirty (30) days after the publication of the ordinances assessing and levying same. At the expiration of said thirty (30) days all unpaid tax bills shall be returned to the Auditor, who shall hold them till paid or withdrawn for the purpose of suit thereon.

Sec. 594. **Extra Work.** Any labor or material required of the Contractor, not otherwise specified, shall be paid for on a basis of actual cost of material and labor plus fifteen (15) per cent., unless otherwise agreed upon, the cost of same to be included in the cost of the improvement, if properly chargeable thereto, otherwise to be paid by the City.

Sec. 595. **Validity of Ordinances Preserved.** The foregoing sections are intended to provide general regulations concerning the improvement of streets and for the guidance of certain City officials in their duties with reference thereto. A failure of the General Council or any City official to comply with any provision hereof shall not affect or invalidate any ordinance relating to the improvement of any street, or any ordinance assessing and levying a tax to pay for such improvement, unless such omission or failure shall violate some law of the State relating thereto.

Sec. 596. **Rights of City Preserved.** Any enumeration of rights, privileges and remedies of the City under this ordinance shall not be construed as excluding the City from any other right or remedy at law or in equity which it may have in case of failure of any Contractor to comply with the terms of any contract made under the provisions of this ordinance.

SUB-GRADE.

Sec. 597. **Excavations.** The sub-soil and other material must be excavated to such a depth as will allow for the required amount of material necessary for the construction of the street. After excavations have been made to the proper depth for laying the roadway all places in the sub-soil that are soft and spongy, or ditches that have not been refilled long enough to thoroughly com-

pact, if not compacted when refilling, shall be filled with satisfactory material and tamped and rolled until it meets the approval of the City Engineer.

All portions of the roadway not compacted by the roller such as along the curb, and street railways, around manhole covers, valve covers, etc., shall be thoroughly compacted by hand-ramming without additional compensation therefor. In grading, every precaution deemed necessary by the Engineer to protect the sewer, water and gas appurtenances, such as man-holes, valve boxes, lamp holes, etc., shall be taken by the contractor, and any injury to any portion of same shall be fully repaired by him, except as otherwise provided in Section 588.

Sec. 598. Embankment. In embankment, the work must be commenced at the slope stakes and be deposited in layers or courses not exceeding six (6) inches in thickness when first spread, and the layers and courses must be concave in form, commencing at the sides and keeping the same at least one (1) foot higher than the center, until the sides are up to the required height when the remaining portion of the earth will be deposited in four (4) inch layers, so as to conform to the proper shaping of the street; each layer to be thoroughly compacted by rolling with a steam roller weighing at least eight (8) tons. The contractor must direct the movements of the wagons and carts used on the work, so that all parts of the embankment shall be equally compacted.

Sec. 599. Protection. All hauling upon the sub-grade, while the same is wet and soft from rain or any cause, will be done at the contractor's risk. No foundation material will be placed upon the sub-grade while it is cut up by ridges or ruts, and all ruts and ridges must be smoothed off and rammed or rolled to the entire satisfaction of the Engineer before any material is dumped upon the same. When the sub-grade is brought to a near finish, stakes will be driven to sub-grade by the City Engineer or his inspector, at intervals necessary to get the surface to the proper elevation.

CONCRETE FOUNDATION.

Sec. 600. Thickness. Upon the roadbed thus prepared shall be laid a bed of concrete six (6) inches thick, composed of cement, sand and stone, to be mixed as prescribed in Sections 601, 602, 603 and 604.

Sec. 601. Cement. The cement used must meet the requirements as specified in the 1911 specifications as adopted by the American Society for Testing Materials.

Sec. 602. Sand. The sand in the concrete must be coarse, clean sharp sand equal to Ohio river washed sand and otherwise satisfactory to the City Engineer. If, in the opinion of the Engineer, stone screenings are free from earth and other objectionable matter, he may permit same to be used to replace sand in an amount not to exceed one (1) part screenings to two (2) parts sand.

Sec. 603. Stone. The stone for the concrete shall be equal to native hard gray limestone, free from clay, earth or other foreign substances. All the stones used must pass a 2.5 ring, but when stone used is of a uniform size larger than will pass a 1.5 ring it must be mixed with screenings in the ratio of five (5) parts stone to one (1) part screenings, and two (2) parts sand. When stone is used that is uniformly graded in sizes from one-half ($\frac{1}{2}$) to two and one-half ($2\frac{1}{2}$) inches, no screenings are to be used. The screenings used in sand concrete must not contain more than fifteen (15) per cent. of dust that will pass a 100 screen.

The size of stone preferable under these specifications would be crusher run with all dust and stones smaller than one-fourth ($\frac{1}{4}$) inch and larger than three (3) inches removed.

Sec. 604. **Mixing and Laying.** The concrete shall consist of one (1) part cement, three (3) parts sand and six (6) parts broken stone of the materials specified and the volumes required taken by actual definite measurements. All concrete shall be mixed by measure and if by machine preferably by a batch machine, the water being added while being mixed and mixing to be continuous at least one (1) minute before being emptied. The consistency to be agreed upon with the Engineer in charge.

When concrete is mixed by hand, the mixing shall be done on a tight wooden platform in definite measured batches, and mixed as follows: Mix sand and cement thoroughly while dry by turning at least two (2) times, then add the stone after same has been well watered. After stone has been added the batch shall be turned at least twice (2) before the water is added and at least three (3) times after the addition of the water. The water to be added by sprinkling and not poured from buckets or other vessels.

All concrete shall immediately be put in position and it must be in place and all settling or tamping as required done within one-half ($\frac{1}{2}$) hour after the water is added.

No walking or driving over the uncovered concrete foundation will be permitted until it shall have set for seven (7) days or such time as the Engineer may direct, and then only such hauling as is necessary for the completion of the street, or for property owners who are compelled to have an ingress or egress. Concrete shall be planked at street and alley crossings to permit travel to cross it without injury. Concrete shall be sprinkled once before eight a. m. and once after five p. m., each day for a period of three (3) days after laying, and be protected from frost in cold weather by covering with suitable material. When a sand cushion is necessary for the surface paving, the surface of the concrete must be perfectly smooth and even. If the street be of uniform cross-section the contractor must furnish templates or suitable appliances approved by the Engineer to get the proper curve.

HEADER STONES.

Sec. 605. **Header Stones.** Header stones shall be laid in such a manner and at such places on the work as the City Engineer may direct.

The header stones shall be either constructed of five (5) courses of brick or of limestone headers. If limestone is used it must be hard and durable and measure not less than five (5) nor more than seven (7) inches in thickness across the top, not less than fifteen (15) inches in depth, and not less than four (4) feet in length. It must be pointed off on top and for three (3) inches down on the face. After setting all the joints beneath and all the open space in the rear or side opposite the street must be filled with concrete.

Where five (5) course brick headers are used it shall be laid on the foundation and in all respects according to the specifications of brick paving.

SHEET ASPHALT PAVEMENT, TYPE A.

Sec. 606. **General Provisions.** The provisions as set forth in Sections 576 to 596 inclusive shall apply.

Sec. 607. **Sub-Grade.** The provisions as set forth in Sections 597, 598 and 599 apply.

Sec. 608. **Foundation.** The provisions as set forth in Sections 600 to 604 shall apply.

Sec. 609. **Header Stones.** The provisions as set forth in Section 605 shall apply.

Sec. 610. The pavement proper shall consist of a binder course one (1) inch in thickness when compressed, and a wearing surface of asphalt of two (2) inches thick when compressed.

Sec. 611. **Binder Course.** Stone to be used for asphaltic binder shall be clean, hard, durable limestone or crushed boulders, free from all foreign substances and of varying sizes, from one (1) inch down and free from dust.

If the stone is not graded and does not contain an amount of fine material sufficient to make a reasonably dense mixture, sand may be added as directed by the Engineer, until the required consistency is obtained.

The binder stone as above specified shall be heated to from two hundred (200) to three hundred (300) degrees F., in suitable appliances, measured and mixed with sufficient asphaltic cement prepared as hereinafter specified, in such proportions that the resulting aggregate will contain, by weight, material passing a No. 10 mesh screen, between ten (10) and thirty (30) per cent. and bitumen in quantity from five (5) to nine (9) per cent. of the entire mixture. Binder thus prepared shall be a compact mass containing a minimum of voids.

The binder shall be brought to the work in wagons covered with canvas or other suitable material, and upon reaching the street shall have a temperature of two hundred (200) to three hundred (300) degrees F. It shall be placed upon the street and raked to a uniform surface, which shall show at no place an excess of asphaltic cement, and any spot covering an area of one (1) square foot or more showing an excess of asphaltic cement, shall be cut out and replaced with other material. Smaller spots may be dried by the use of stone dust and smoothers.

Any binder broken up during the process of laying must be removed and replaced with new material. The binder shall be followed and covered with wearing surface as soon as is practicable in order to effect the most thorough bond between the binder and the wearing course.

Sec. 612. **Wearing Surface.** The pavement mixture for the wearing surface shall be composed of:

1. Asphalt.
2. Flux.
3. Asphalt Cement.
4. Sand.
5. Filler.

Sec. 613. **Asphalt.** The term "Asphalt" shall be construed to signify any solid natural mineral bitumen, either pure or associated with mineral matter, or any other solid bitumen of natural origin having the properties and characteristics hereinafter named and described, which has been satisfactorily used in the construction of sheet asphalt pavements.

Sec. 614. **Refined Asphalt.** The refined asphalt shall be obtained by refining the natural material until the product is homogeneous and free from water. It must contain not less than fifty-six (56) per cent. of bitumen soluble in carbon disulphide, and of the bitumen thus soluble not less than sixty-eight (68) per cent. shall be soluble in Pennsylvania petroleum naphtha having a specific gravity of .65 at seventy-seven (77) degrees Fahrenheit; or if it does not contain this amount of bitumen soluble in naphtha, but is satisfactory in other respects, the deficiency may be supplied by the use of such a flux, satisfactory to the City Engineer, as to bring it to the required standard, but in no event shall flux of

any kind be used in excess of thirty (30) per cent of the weight of the refined natural asphalt.

Asphalt prepared by distillation of asphaltic petroleum must be manufactured specially for paving purposes and shall be of a consistency before fluxing such that a No. 2 needle weighted with one hundred (100) grams shall penetrate at least four (4) millimeters at seventy-seven (77) Fahrenheit. Of the bitumen which such asphalts contain which is soluble in carbon disulphide not more than one and one-half ($1\frac{1}{2}$) per cent. shall be insoluble in carbon tetrachloride.

The bitumen contained in any asphalt to be used shall yield upon ignition not more than fifteen (15) per cent. of fixed carbon, as determined by the method recommended by the Committee of the American Chemical Society. The solid residue so obtained shall be soluble in carbon tetrachloride to the extent of $98\frac{1}{2}$ per cent.

Sec. 15. Flux. The heavy petroleum semi-asphaltic flux used in the manufacture of the asphaltic cement shall be a petroleum from which the lighter oils have been removed by distillation without cracking, until it has a specific gravity of from fifteen (15) to twenty (20) degrees Beaume, and shall have the following characteristics:

Flash test of not less than 350 degrees Fahrenheit.

Specific gravity not less than 94 nor more than 102 at 77 degrees Fahrenheit.

After five (5) hours evaporation at 500 degrees F. to a solid, its penetration at 77 degrees F. shall be 50 and its ductility no less than 30.

If asphaltic not more than eight (8) per cent. volatile at 325 degrees Fahrenheit in seven (7) hours, when twenty (20) grams are heated in an open cylindrical dish about two and one-half ($2\frac{1}{2}$) inches in diameter, and about one and one-half ($1\frac{1}{2}$) inches high, in an oven, the temperature of which is noted by a thermometer, the bulb of which is immersed in a similar dish of oil, alongside that which is being tested.

Sec. 616. Asphalt Cement. The asphaltic cement shall be prepared by fluxing refined asphalt with a heavy petroleum oil complying with the specifications mentioned above, at a temperature of about 325 degrees Fahrenheit, using such proportions not, however, in excess of thirty (30) parts of flux to one hundred (100) parts of refined natural asphalt as will produce a cementing material having the following proportions:

A briquette of the pure bitumen of forty (40) penetration at 77 degrees Fahrenheit, having a minimum cross-section of one (1) square centimeter, must have a sufficient ductility to stretch to a distance of not less than twenty-five (25) centimeters before breaking, when tested at 77 degrees Fahrenheit.

The proportion of the total bitumen in the cement which is soluble in Pennsylvania petroleum naphtha of .65 gravity shall not exceed seventy-eight (78) per cent., nor fall below sixty-four (64) per cent.

A No. 2 needle weighted with one hundred (100) grams shall penetrate in five (5) seconds at 77 degrees Fahrenheit, a distance of 40 to 70 on a Dow machine.

When twenty (20) grams are heated in a receptacle about two and one-half ($2\frac{1}{2}$) inches in diameter and two (2) inches high, for seven (7) hours, in an oven maintained at a uniform temperature of about 325 degrees Fahrenheit, as determined by a thermometer, the bulb of which is immersed in a similar receptacle filled with oil, it shall not lose more than four (4) per cent. at flash

point, as determined in a New York State closed oil tester, shall not be less than 350 degrees Fahrenheit.

Seventy-five (75) per cent. shall be soluble in carbon disulphide at air temperature and not more than one and one-half ($1\frac{1}{2}$) per cent. of the bitumen shall be less soluble in carbon tetrachloride than in carbon di-sulphide, the test for the former being conducted by submitting the bitumen to the action of the tetrachloride for twenty-four (24) hours before filtration.

The flux shall be added to the melted refined asphalt, and the entire mass shall be agitated by an air blast or other suitable appliance until the resulting cement is homogeneous. It must never be heated to a temperature exceeding 350 degrees Fahrenheit.

Sec. 617. Sand. The sand shall be graded as to be within the limits on sand sieves as follows:

	Per Cent.
Stone dust and sand passing a No. 200 sieve.....	12 to 16
Sand passing a No. 80 sieve.....	15 to 35
Sand passing a No. 40 sieve.....	25 to 50
Sand passing a No. 10 sieve.....	10 to 20
Sand passing a No. 4 sieve not over 2 per. cent to be retained.	

The item designated "Stone dust passing a No. 200 sieve," within the limits herein, includes, in addition to the stone dust, fine sand passing a No. 200 sieve not exceeding five (5) per cent. of the total mixture, and such 200 mesh mineral dust naturally self-contained in the refined asphalt.

Sec. 618. Filler. The filler shall consist of ground limestone, Portland cement or any other mineral matter of sufficient density to produce a powder having a volume weight of at least ninety (90) pounds to the cubic foot. It shall be so fine that at least sixty-five (65) per cent. shall pass a two hundred (200) mesh screen, while, when thoroughly agitated with distilled water at a temperature of 77 degrees Fahrenheit, by means of an air blast or otherwise, not more than twenty (20) per cent. shall subside on standing for fifteen (15) seconds. All the material settling in the breaker at the expiration of fifteen (15) seconds, will by the terms of these specifications be regarded as sand.

Sec. 619. Combining and Mixing. The sand and asphalt cement shall be heated separately to such temperature that the finished mixture, shall, depending on the asphalt in use, have a temperature of from 260 degrees to 330 degrees Fahrenheit. The filler shall be mixed, while cold, with the hot sand. The asphaltic cement will then be mixed with the sand and stone dust at the required temperature, and in such proportion that the mixture shall contain by weight from 9.5 to 12.5 per cent. of bitument soluble in carbon disulphide.

The above mixture shall be hauled to the street in trucks properly protected from radiation by tarpaulins at a temperature not less than 250 degrees Fahrenheit, and spread upon the binder to such a depth as will insure an average thickness of two (2) inches after compression by rolling. This compression will be attained by first smoothing the surface with a hand roller or light steam roller, after which hydraulic cement shall be swept over it, when the rolling shall be continued with a steam roller weighing not less than eight (8) tons until the surface is thoroughly and properly compacted.

ASPHALT PAVEMENT, TYPE B.

Sec. 620. Asphalt Pavement, Type "B." All provisions, specifications and regulations relating to the construction of asphalt pavement, type "A", shall

apply to and govern the construction of Asphalt Pavement, Type B, except that the depth of the binder course shall be one (1) inch after compression, and the depth of the wearing surface shall be one and one-half ($1\frac{1}{2}$) inches after compression.

ASPHALT PAVEMENT, TYPE C.

Sec. 621. **Asphalt Pavement, Type "C."** All provisions, specifications and regulations, relating to the construction of Asphalt Pavement, Type A, shall apply to and govern the construction of Asphalt Pavement, Type C, except that, in lieu of the binder course and wearing surface, there shall be laid directly upon the concrete foundation a wearing surface consisting of a single course, to be two (2) inches in depth after thorough compression in which the mineral aggregate shall consist of broken or crushed limestone or stone of its equal or better, and sand so mixed as to meet as near as practicable, the following requirements:

	Per Cent.
Mineral aggregate passing a 200 mesh screen.....	5 to 11
Mineral aggregate passing a 40 mesh screen.....	18 to 30
Mineral aggregate passing a 10 mesh screen.....	25 to 55
Mineral aggregate passing a 4 mesh screen.....	8 to 22
Mineral aggregate passing a 2 mesh screen less than 10 per cent.	

To this mixture of mineral aggregate must be added an amount of bitumen soluble in carbon disulphide to be not less than seven (7), nor more than eleven (11) per cent. of the whole mixture. The mixture must be such that it shall contain the necessary elements to procure a pavement surface showing no excess or deficiency of bitumen.

ASPHALT BLOCK PAVEMENT.

Sec. 622. **General Provisions.** The provisions as set forth in Sections 576 to 596 inclusive, shall apply.

Sec. 623. **Sub-Grade.** The provisions as set forth in Sections 597, 598 and 599 shall apply.

Sec. 624. **Foundation.** The provisions as set forth in Sections 600 to 604 shall apply.

Sec. 625. **Header Stones.** The provisions as set forth in Section 605 shall apply.

Sec. 626. **Mortar Bed.** Upon the surface of the concrete shall be spread a bed of cement mortar one-half ($\frac{1}{2}$) inch in thickness. This mortar shall be composed of a slow setting Portland Cement and clean, sharp sand free from pebbles over one-quarter ($\frac{1}{4}$) of an inch in diameter mixed in the proportion of one (1) part cement to four (4) parts sand. This mortar bed shall be "struck" to a true surface exactly parallel to the top of the finished pavement in the following manner: On the surface of the concrete shall be set strips of wood, four (4) inches wide by one-quarter ($\frac{1}{4}$) of an inch thick, and of a length equal to the width or half width of the street, if practicable, or strips of steel four (4) inches wide by one-eighth ($\frac{1}{8}$) or three-sixteenths ($\frac{3}{16}$) inch thick and of a convenient length may be used. These strips shall be carefully set from curb to curb to the exact crown of the street and imbedded throughout their length in mortar, so that the top surface of the strips shall be below the grade of the

finished pavement a distance equal to the thickness of the block. An iron shod straight edge or "striker" shall be used on two (2) sets of strips, set as described above, eight (8) or ten (10) feet apart, to strike the mortar bed to a true and even surface. As soon as the bed has been struck, one set of the strips shall be taken up and the trench carefully filled with mortar. In case of car tracks in the street a template shall be used, to run on the rails, to strike the mortar bed to the required grade between the rails or the car tracks.

Sec. 627. **Asphalt Blocks.** Upon this mortar bed asphalt blocks shall be immediately laid with close joints and uniform top surface. The blocks shall be five (5) inches in width by twelve (12) inches in length by two (2) inches in depth. A variation of one-quarter ($\frac{1}{4}$) of an inch from adopted dimensions, will be sufficient ground for rejecting any block.

Sec. 628. **Composition.** The blocks will be composed of the following material, to-wit: Asphaltic Cement, 9 to 13 per cent.; Conglomerate Copper Rock 76 to 62 per cent.; Limestone Dust, 15 to 25 per cent. The stone in the blocks must be crushed so that every particle will pass a screen of three-eighths ($\frac{3}{8}$) of an inch mesh. The blocks must receive a compression in the moulds of not less than two hundred (200) gross tons, and must weigh not less than ten (10) pounds per two (2) inch block, thirteen (13) pounds per two and one-half ($2\frac{1}{2}$) inch block. The blocks shall yield when extracted with bisulphide of carbon and after the evaporation of the solvent, not less than six (6) per cent., not more than eight (8) per cent. of bituminous matter.

Sec. 629. **Laying Blocks.** The blocks shall be laid by the pavers standing upon the blocks already laid, and not upon the bed of mortar. They shall be laid at right angles with the line of the street with such crown as the Engineer may direct, and in such manner that all longitudinal joints shall be broken by a lap of at least four (4) inches. The blocks shall be so laid as to make the lateral joints as tight as possible, consistent with keeping a good alignment of the courses across the street, and the longitudinal joints shall be immediately closed by pressing each course in the direction of its length by a level. When thus laid the blocks shall be immediately covered with clean, fine, dry sand, entirely free from any loam or earthy matter. This sand shall be swept over the surface until the joints are all filled and shall be allowed to remain on the pavement not less than thirty (30) days or for such a length of time as will allow the street traffic to thoroughly grind the sand into all the joints.

ASPHALT BINDER PAVEMENT.

Sec. 630. **General Provisions.** The provisions as set forth in Sections 576 to 596 inclusive, shall apply.

Sec. 331. **Sub-Grade.** The provisions as set forth in Sections 597, 598 and 599 shall apply.

Sec. 632. **Header Stones.** The provisions as set forth in Section 605 shall apply.

Sec. 633. **New Foundation.** Over the sub-grade there must be spread a course of stone five (5) inches in depth loose, composed of stone not less than one and one-half ($1\frac{1}{2}$) inches, nor more than three (3) inches. Should one (1) load contain all small stone or all large stone, each load shall be spread out over a large area, so as to have uniformity. This course of stone must be rolled thoroughly and a light course of screenings spread and rolled in, but not of sufficient quantity to cover the large stone.

Sec. 634. **Old Foundation.** The surface of the old macadam street must be thoroughly cleaned of all dust, mud, rubbish, etc. The old stone shall then be spiked or scarrified so that it can be scraped and placed to make a true and even surface from curb to curb. Should there not be enough old stone to even up the old surface enough, new stone must be added as required by the Engineer, and the entire roadway rolled with no less than eight (8) ton roller until thoroughly compact. The extra stone will be paid for by the cubic yard plus the cost of unloading and placing.

Sec. 635. **Wearing Surface—Penetration Method.** Over the above foundation shall be spread a second course of a uniform depth of five (5) inches loose measurements. This course must contain as near as possible stone that will measure from one and one-half ($1\frac{1}{2}$) to two (2) inches after spreading. It must be rolled twice when it is ready to receive the bituminous filler of one and one-half ($1\frac{1}{2}$) to two (2) gallons per square yard. This filler must be heated to at least 300 degrees F., and poured either by hand or spreader, during the warm hours of the day, from nine (9) to three (3). The stone must be clean and warm before the pouring begins.

After the bitumen has penetrated the stone a light course of screenings must be added and rolling resumed until the stone is compact. While this rolling is being done if an excess of Bitumen is apparent at any place extra screenings must be added. Where the Bitumen is deficient the screenings must be swept to one side and extra Bitumen added, over which the screenings are replaced and rolling resumed. By screenings, in this section, is meant the finer particles of stone from one-half ($\frac{1}{2}$) inch stone down to dust with not over five (5) per cent. dust.

Sec. 636. **Wearing Surface—Mixing Method.** Over the above foundation shall be spread a second course to be three (3) inches in depth after thorough compression composed of stone ranging from three-fourth ($\frac{3}{4}$) to one and one-half ($1\frac{1}{2}$) inches. The stone and Bitumen must be heated separately and mixed by suitable machinery until all stone is thoroughly coated. This mixture must be uniformly spread over the surface of the street and rolled once. A course of clean screenings, all dust removed, must be spread in quantity sufficient to fill all voids, after which the rolling will be continued until thoroughly compacted; all rolling for first and second courses to be done with a roller weighing eight (8) tons.

Sec. 637. **Bitumen.** The material to be used may be Bermudez, Texaco, Standard, Pioneer or others which in general meet the requirements for a binder purpose. Bidders at the time of letting must furnish the Engineer with the one (1) quart sample of his material, together with the names of the manufacturer, the source of his product and its location and an analysis of the product which they propose to use.

BRICK PAVING.

Sec. 638. **General Provisions.** The provisions as are set forth in Sections 576 to 596, inclusive, shall apply.

Sec. 639. **Sub-Grade.** The provisions as set forth in Sections 597, 598 and 599 shall apply.

Sec. 640. **Foundation.** The provisions as set forth in Sections 600 to 604 shall apply.

Sec. 641. **Header Stones.** The provisions as set forth in Section 605 shall apply.

Sec. 642. **Sand Cushion.** The sand should be practically free from foreign or loamy matter. It need not necessarily be sharp. The cushion must be one and one-half ($1\frac{1}{2}$) inches thick, thoroughly and uniformly compressed before the bricks are placed upon it. The sand must be sufficiently fine so that it will all pass through a one-eighth ($\frac{1}{8}$) inch mesh. It should be spread by the aid of a template having a steel face edge, reaching the whole or one-half ($\frac{1}{2}$) the width of the street and made to conform to the true curvature of the street cross section, except where there is a variance in the cross section it may be made by hand lutes. The compressing should be done with a hand roller weighing from two hundred (200) to four hundred (400) pounds.

Sec. 643. **Expansion Joints.** An expansion cushion must be provided parallel with and next to the curb to be one (1) inch in width for streets thirty (30) feet and less in width, and one and one-half ($1\frac{1}{2}$) inches in width for streets wider than thirty (30) feet.

Where streets are more than thirty-two (32) feet in width, expansion joints at right angles to the curb and for full width of the street must also be provided one and one-half ($1\frac{1}{2}$) inches in width every seventy-five (75) feet. Where cement gutter is used, expansion joints must be left every twenty-five (25) feet at right angles to the curb.

The boards must be left in place for thirty-six (36) hours after the cement filler has been applied, when they are to be drawn and the space filled with paving pitch or asphalt filler, especially manufactured for that purpose.

Sec. 644. **Wearing Surface.** The brick must be first class and thoroughly vitrified, showing at least one (1) straight face, reasonably free from kiln marks and free from cracks, with but slight laminations. They are to be expressly made for paving purposes. In size they shall not be less than $2\frac{1}{2} \times 4 \times 8$, nor more than $3\frac{3}{4} \times 4 \times 9\frac{1}{2}$ inches. If the edges are rounded the radius must not be greater than three-sixteenths ($\frac{3}{16}$) of an inch. They shall not vary more than one-fourth ($\frac{1}{4}$) of an inch in width, one-fourth ($\frac{1}{4}$) of an inch in depth, nor more than one-half ($\frac{1}{2}$) of an inch in length.

If provided with lugs or raised letters on the side, they are not to exceed one-eighth ($\frac{1}{8}$) of an inch in depth.

For the abrasion test, the brick shall be tested under the specifications, in manner and method and with a ratler, as adopted by the National Paving Brick Manufacturers' Association at their annual meeting of 1911.

Sec. 645. **Handling and Laying.** The brick must all be hauled and neatly piled in proper quantity without the curb line before the grading is finished. In unloading and hauling from the car, no throwing or dumping shall be allowed. From these piles they shall be carried on pallets or with clamps or to be conveyed to the brick setter on a gravity carrier, No wheeling in barrows on the brick surface shall be permitted. They must be placed to the convenience of the brick setter or dropper, so that he will drop them into the pavement on edge, with the best edge uppermost, and at right angles with the curb line. It must be thoroughly understood that the brick layer or foreman will be held responsible for failure to exercise care in placing the best edge up. Where they do not, the Inspector will report to the City Engineer and either the Foreman or Layer, or both, must be discharged by the Contractor. The line or course of brick must be kept straight and joints broken at the center of each brick respectively. They must be dropped in place as near in contact as possible, but in no instance shall the line be straightened by heavy sledging or a straight edge against the brick. The use of a sledge with a light stroke to merely straighten the lines may be permitted, and while they should be laid in close

contact, the brick should never be pried endways to force in a closure. All brick with raised letters must lie in the same direction. Nothing but whole brick shall be used, except in starting and finishing courses. The cutting and trimming of the brick must be done by experienced men and care taken not to fracture the parts to be used.

Sec. 646. Rolling and Tamping.—After the brick in the pavement is inspected and the surface is swept clean of spalls, they must be well rolled, with a steam tandem roller weighing not less than three (3), nor more than ten (10) tons, in the following manner:

The brick next to the curb must be tamped with a hand wood tamper to the proper gutter grade, when it is found impossible to use the roller close to the curb. The rolling will then commence near the curb at a very slow pace and continue back and forth parallel with the curb until the center of the pavement is reached, then pass to the opposite curb and roll in the same manner to the center of the street. As the roller passes back and forth, it should overlap its course each time.

After the first passage of the roller the pace may be quickened and the rolling continued until each brick is firmly imbedded in the sand cushion. The pavement shall then be rolled the entire width of the street transversely at an angle of 45 degrees to curb. Repeat the rolling in like manner in the opposite direction. Before this transverse rolling takes place, all broken or injured brick must be taken up and replaced with satisfactory ones. The substitute brick must be brought to true surface by tamping.

After final rolling, the pavement shall be tested with a ten (10) foot straight edge, laid parallel with the curb, and any depression exceeding one-quarter ($\frac{1}{4}$) of an inch must be taken out. If necessary, the pavement shall be again rolled.

Sec. 647. Cement Filler. The filler shall be composed of one (1) part each of clean, sharp, fine sand and Portland cement. The sand must be dry. The mixture, not exceeding one (1) sack of the cement, together with a like amount of sand, shall be placed in the box and mixed dry, until the mass assumes an even and unbroken shade. Water shall then be added, forming a liquid mixture of the consistency of thin cream. The sides and edges of the brick should be thoroughly wet by sprinkling before the filler is applied. From the time the water is applied until the last drop is removed and floated into the joints of the brick pavement, the mixture must be kept in constant motion.

The mixture shall be removed from the box to the street surface with a scoop shovel, all the while being stirred in the box as the same is being thus emptied. The box for this purpose shall be four (4) feet eight (8) inches long, thirty (30) inches wide and fourteen (14) inches deep, resting on legs of different lengths, so that the mixture will readily flow to the lower corner of the box, which shall not be more than six (6) inches above the pavement. This mixture, from the moment it touches the brick shall be thoroughly swept into the joints.

One (1) box shall be provided in case the street is twenty (20) feet or less in width; exceeding twenty (20) feet in width, two (2) shall be used.

The work of filling should be carried forward in line until an advance of fifteen (15) to twenty (20) yards has been made, when the same force and appliance shall be turned back and cover the same space in like manner, except that the mixture shall be slightly thicker for the second coat.

To avoid the possibility of thickening at any point, the surface ahead of the sweepers and ahead of the mixture shall be gently sprinkled, using a sprinkling can the head of which shall be perforated with small holes.

Any attempt to thin the mixture on the pavement by the application of water will result in the separation of sand and cement and "bad spots" will appear three (3) days.

After the joints are thus filled flush with the top of the brick and sufficient time for hardening has elapsed, so that the coating of sand will not absorb any moisture from the cement mixture, one-half ($\frac{1}{2}$) inch of sand shall be spread over the whole surface, and in case the work is subjected to a hot summer sun, an occasional sprinkling, sufficient to dampen the sand, should be followed for two (2) or three (3) days.

Sec. 648. **Bituminous Filler.** Pitch No. 6 or Asphalt filler especially manufactured for filler purposes will be accepted. It must be heated to at least 300 degrees F., and poured during warm and dry weather. The joints must all be filled after which there must be spread a thin coat of sand over the entire street and left.

GRANITE BLOCK PAVING.

Sec. 649. **General Provisions.** The provisions as set forth in Sections 576 to 596 inclusive, shall apply.

Sec. 650. **Sub-Grade.** The provisions in Sections 597, 598 and 599 shall apply.

Sec. 651. **Foundation.** The provisions as set forth in Sections 600 to 604 shall apply.

Sec. 652. **Header Stones.** The provisions as set forth in Section 605 shall apply.

Sec. 653. **Sand Cushions.** The sand should be practically free from foreign or loamy matter. It need not necessarily be sharp. The cushion must be two (2) inches thick, thoroughly and uniformly compressed before the blocks are placed upon it.

The sand must be sufficiently fine so that it will all pass through a one-eighth ($\frac{1}{8}$) inch mesh. It should be spread by the aid of a template having a steel faced edge, reaching the whole or one-half ($\frac{1}{2}$) the width of the street and made to conform to the true curvature of the street cross-section, except where there is a variance in the cross-section it may be made by hand lutes. The compressing should be done with a hand roller weighing from two hundred (200) to four hundred (400) pounds.

Sec. 654. **Wearing Surface.** The blocks shall be made from sound, durable granite of uniform texture, composition and hardness throughout. No outcrop, deteriorated, soft, brittle or seamy stone shall be used. If the blocks are obtained from different quarries, or from different parts of the quarry where the quality or appearance of the rock differs, the product of each must be kept separate and laid together on the street. The blocks shall not be less than eight (8), nor more than thirteen (13) inches long, not less than three and one-half ($3\frac{1}{2}$), nor more than five (5) inches wide, and not more than four and one-half ($4\frac{1}{2}$), nor less than three and one-half ($3\frac{1}{2}$) inches deep. They shall be well shaped rectangular with full edges and corners. Their tops shall not depart more than one-quarter ($\frac{1}{4}$) inch from a true plane, and their sides shall be dressed so that the joints between the courses will not be more than one-quarter ($\frac{1}{4}$) inch wide, and their ends so that the end-joints shall not be more than one-quarter ($\frac{1}{4}$) inch wide. The size of the blocks may be varied when necessary to fit the pavement against or around bridge stones or other street structures.

Sec. 655. **Laying Blocks.** The block shall be set on the bed of sand perpendicular to the street surface with their length at right angles to the street and courses extending entirely across the street, and at right angles to its axis, except at street intersections, where the courses shall be set at such an angle with the street as the Engineer may direct. Only stones of the same width shall be set in the same course. The stones in each course and in adjoining courses shall be set firmly against each other. The blocks shall be set in the same bed in such a manner that their tops shall be even with each other and to such an elevation that after the pavement is rammed, as hereinafter directed, its general surface shall conform closely to the grade and contour designed for the pavement. Stones in adjoining courses shall break joint not less than three (3) inches.

Sec. 656. **Ramming.** After the blocks are set, they shall be thoroughly rammed to give them a firm bearing in the sand, and to bring their tops to the prescribed pavement datum. The rammers used, shall have wooden faces, or if rammers with iron faces are used, a two (2) inch plank one (1) foot wide and three (3) feet long, shall be interposed between the blocks and rammers. The rammers shall weigh not less than thirty (30) pounds. When the surface is rolled it must be done with a steam roller weighing not more than eight (8) tons, and must be rolled first parallel with the street and then at an angle of 45 degrees. Blocks or sections of blocks whose tops under the ramming remain above or sink below the pavement datum shall be taken up and reset so that after the ramming or rolling is completed, their tops will present a smooth and even surface.

Sec. 657. **Expansion Joints.** Expansion joints must be provided for as specified in Section 643 except that the one-half ($\frac{1}{2}$) inch joints must be left at right angles with the curb every fifty (50) feet as well as the one (1) inch joint next to curb.

Sec. 658. **Cement Filler.** The filler shall be mixed and applied as specified in Section 647.

CEMENT PAVEMENT.

Sec. 659. **General Provisions.** The provisions as set forth in Sections 576 to 596 inclusive, shall apply.

Sec. 660. **Sub-Grade.**—The provisions as set forth in Sections 597, 598 and 599 shall apply.

Sec. 661. **Foundation.** The provisions as set forth in Sections 600 to 604 shall apply, except that the depth of the concrete must be five (5) inches.

Sec. 662. **Header Stones.** The provisions as set forth in Section 605 shall apply.

Sec. 663. **Wearing Surface.** The wearing surface must be applied immediately after the concrete has been placed and tamped and before any drying has occurred, and will be uniformly two (2) inches in thickness. The wearing surface will be composed of one (1) part cement and one and one-half ($1\frac{1}{2}$) parts sand. The sand shall be the hardest locally obtainable washed sand, and perfectly clean and well graded from a maximum size of one-quarter ($\frac{1}{4}$) inch to a minimum of one-fortieth ($\frac{1}{40}$) inch; it must be entirely free from particles. The sand must be dry when mixed with the cement and the mixing must be very thorough until the mixture is perfectly uniform in color. Hard limestone or granite chips of size above specified may be substituted for the sand.

The wearing surface will be thoroughly compressed and worked smooth and true to the crown of the street, using templates and strips for this purpose satisfactory to the Engineer. All surface work will be done entirely with a

wooden float. The surface will then be nearly blocked into squares six (6) by six (6) inches, the grooves to be one-half ($\frac{1}{2}$) inch in depth. The blocking will extend to within eighteen (18) inches of the curb line, the gutters being left smooth. Expansion joints one (1) inch in width will be left along each curb unless otherwise directed by the Engineer. Transverse expansion joints extending clear across the street one-half ($\frac{1}{2}$) inch wide will be formed every fifty (50) feet. All expansion joints must extend through both wearing surface and concrete and will be filled with paving pitch of grade specified for brick pavement, or with an asphalt filler of character to be approved by the Engineer.

After the street is complete, it must be sprinkled each day for four (4) days, and no traffic of any kind will be allowed on same for a period of eight (8) days after its completion.

"MACADAM STREET—TYPE A."

Sec. 664. **General Provisions.** The provisions as set forth in Sections 576 to 596 inclusive, shall apply.

Sec. 665. **Sub-Grade.** The provisions as set forth in Sections 597, 598 and 599 shall apply.

Sec. 666. **Foundation.** Upon the sub-grade thus prepared there shall be spread a course or layer four (4) inches in depth after being thoroughly rolled, composed of hard limestone, or its equal or better, broken or crushed into fragments, which shall measure not less than two and one-half ($2\frac{1}{2}$), nor more than four (4) inches in diameter. This course of stone shall be rolled with a steam roller weighing not less than ten (10) tons, beginning at each gutter and be continued until the entire surface of the roadway is compacted and the rock remains stationary as the roller passes over.

Over this course of stone must be spread a thin layer of screenings to be shoveled from the wagon, composed of crushed limestone, which will pass a one (1) inch screen with not more than 15 per cent dust being allowed, after spreading, the surface will again be rolled until they are forced into voids of the larger stone and leaving the larger well exposed. If necessary sprinkling must be done to assist in the above requirements.

Sec. 667. **Wearing Surface.** Upon this four (4) inch base, will be spread to a uniform depth a course or layer of crushed limestone, or its equivalent, or its equal, that will be five (5) inches in depth, after thorough compression. The size of the stone must not be less than one (1) inch, nor more than two and one-half ($2\frac{1}{2}$) inches. This course must be rolled as above specified. Should one load contain stone of one size and another load of different size, each must be spread over a large area so as to make the stone of uniform grading over the entire surface. Over this course will be spread a layer of screenings as above specified that will, as near as possible, fill the void in this course rolled until they are firmly imbedded into the voids of the larger stones. During the rolling, the screenings must be sprinkled to assist in incorporating them into the stones. Where necessary, extra screenings must be added and rolled so as to leave the stone covered one-fourth ($\frac{1}{4}$) inches.

"MACADAM STREET—TYPE B."

Sec. 668. **General Provisions.** The provisions as set forth in Sections 576 to 596 inclusive, shall apply.

Sec. 669. **Sub-Grade.** The provisions as set forth in Sections 597, 598 and 599 shall apply.

Sec. 670 **Wearing Surface.** Over the sub-grade, there shall be spread a course of crushed limestone or its equal or better, so that after thorough compression, its depth will be uniformly six (6) inches. The stone must not be less than one (1) inch, nor more than (3) inches in diameter. Should one load contain stone of one size, and another load of different size, each must be spread over a large area so as to make the stone of uniform grading over the entire surface. Where gutters are used, it must be so graded that when completed, the macadam will be flushed with not more than one (1) inch above said gutter. The stone must be rolled thoroughly with the heavy roller propelled by steam or gasoline until it ceases to shift. No screenings must be added until all uneven depressions have been refilled and rolled. Screenings must then be spread and shoveled from the wagon and thoroughly rolled and sprinkled while being rolled. No excess of screenings will be permitted to be left on the street, except a sufficient quantity to leave an even covering over the entire surface. The screenings used must not contain more than 15 per cent of dust or material passing a 100 mesh screen.

“CURB AND GUTTER”

Sec. 671. **General Provisions.** The provisions as set forth in Sections 576 to 596 inclusive, shall apply.

Sec. 672. **Cement Curb.** Cement curb must be eighteen (18) inches in depth and six (6) inches in thickness, with one-quarter ($\frac{1}{4}$) bevel on top, rising from face. Corner next to gutter must be rounded to one (1) inch radii and next to sidewalk must be one-fourth ($\frac{1}{4}$) radii.

Curb must be constructed in lengths of six (6) feet unless otherwise directed by the Engineer.

The foundation for cement must be six (6) inches in depth, of cinders well tramped and sprinkled, and ten (10) inches in width.

The body of the curb will consist of concrete mixed in the proportions of one (1) part cement, two (2) parts sand, and four (4) parts stone, and otherwise conforming to requirements of Section 604. Stone to be not less than one-half ($\frac{1}{2}$) inch, nor more than one and one-half ($1\frac{1}{2}$) inches in size. Cement must conform to requirements of Section 601. Sand must conform to requirements of Section 602. The concrete must be tamped thoroughly into the forms for same.

The finishing coat must be one (1) inch in thickness and extend across the top and for twelve (12) inches down the face mixed in a water tight box in the proportions of one (1) part of cement to one and one-half ($1\frac{1}{2}$) parts coarse sand, the surface must be troweled to a smooth and even finish. The sand and cement must be mixed dry until the mixture shows a uniform color. The edges must be finished to true line and grade. Any open space in rear of curb must be filled with earth and be well tamped.

Where the ordinance ordering curb specifies a steel protection, the price bid for straight curb must include same, and the Contractor will be required to furnish samples of the kind or kinds which he is bidding on.

Sec. 673. **Cement Curb and Gutter Combined.** The excavation must be completed to a width of twenty-six (26) inches and a depth of eighteen (18) inches below top of curb. A foundation of cinders six (6) inches in depth after sprinkling and ramming must be placed in the trench. On this foundation must be laid the combined curb and gutter, the thickness of said curb to be six (6) inches with six (6) inches face and fourteen (14) inch gutter to be five (5) inches in depth. The material and mixture must be the same as specified in Section 672

for cement curb. The angle of the gutter with curb must be laid to one and one-half ($1\frac{1}{2}$) inches in radius.

The outer edge of gutter must be rounded to one-fourth ($\frac{1}{4}$) inch radius. The corner of curb nearest the street must be rounded to a one (1) inch radius.

At corners, the curb and gutter must be built to such a radii as the Engineer may direct. The protecting strip or form next to the street must be left in place until consent from the engineer to remove same is obtained. Wherever, in his opinion, it is necessary to diminish or increase the face of the curb, the same must be done without extra compensation.

Sec. 674. Granite Curb. Granite curb must be of uniform grain and texture, free from laminations or stratifications. The weather worn surface or sap product will not be accepted.

All stone curbing must be six (6) inches in width measured at right angles to the face across the top. Its depth must be at least twenty (20) inches, nor more than twenty-four (24) inches.

The ends of the curb must not vary more than two (2) inches from a square with the top.

Circular curbing must be of such lengths and cut to such radii as the Engineer may direct for each corner.

Straight curbing must not be less than five (5) feet in length, except at closures.

All curb must be neatly dressed with Pean hammer, true and smooth, for three (3) inches on the back, across the top and for twelve (12) inches on its face and twelve (12) inches across if necessary on ends. All rough portions below this must be dressed sufficient to allow of even adjustment and true line.

All curb must be set before laying of any pavement or the foundation.

Sec. 675. Limestone Curb. Limestone curbing must be of best quality of Kentucky or Indiana limestone. Samples of curbing from the quarry, from which the Contractor expects to get his supply, must be furnished prior to the letting of the contract. The name of the quarry, its location and owner must appear labeled on the same.

Limestone curb must conform in measurement and manner of dressing to that specified for granite.

Sec. 676. Brick Gutter. Brick gutter shall be twenty-two (22) inches in width, with the brick laid parallel to the curb, and the joints filled with the cement grout. In all other respects, brick gutters shall be laid in accordance with the specifications for brick paving prescribed by Sections 638 to 647 inclusive.

Sec. 677. Cement Gutters. Cement gutters, when not combined with curb, shall be twenty (20) inches in width, with concrete base four and one-half ($4\frac{1}{4}$) inches thick, and a top surface of one and one-half ($1\frac{1}{2}$) inches thick, the material, mixture and manner of laying to conform to the requirements of Sections 672 and 673 inclusive of this ordinance.

**Prescribing Regulations and Specifications for the Improvement of Portions of
the Streets Required to be Maintained by The Kentucky
Traction and Terminal Company.**

Sec. 678. General Provisions. The following regulations and specifications are prescribed for the construction and re-construction of that portion of any of the streets of the City of Lexington, for the maintenance of which the

Kentucky Traction & Terminal Company, formerly the Lexington Railway Company is liable under its contract with the City, being all that portion of any street lying between the tracks of said Company and eighteen (18) inches outside of the outer rails of such tracks, and the portion lying between any double tracks or switches of said Company, but the specifications herein prescribed shall apply, and be used only on such streets as the General Council may authorize and direct by ordinance.

All the general provisions prescribed by Sections 576 to 596 inclusive, shall apply to work done under the specifications prescribed by this ordinance.

Sec. 679. Brick Paving. When said Company's portion of a street is to be constructed with brick paving, the work shall be done according to the following specifications: "The base or foundation shall have six (6) inches of crushed stone of a size that will pass through a two (2) inch ring under the ties to be rolled until thoroughly compacted, and this stone shall be brought to a point four (4) inches below the base of the rail, between the ties from that point Portland Cement concrete, which shall be mixed as specified under Sections 600 to 604, inclusive of Ordinance No. 2876, shall be laid up to a point of five (5) inches below the top of the rail. All work up to this point shall be done by the Kentucky Traction and Terminal Company. On this foundation or base, the contractor shall first spread a layer of good, clean, sharp sand, one (1) inch thick, and brought to a level grade four (4) inches below the top of the rail with a light roller or hand lute. Upon the layer of sand thus laid shall be laid a top course consisting of one (1) row of specially good granite block along the inner or gauge side of the rails. This granite block shall be cut and dressed as per blue print hereto attached, and made a part of this ordinance. These granite blocks shall be laid parallel with the rail, the thin side of the block passing underneath the head of the rail, and being so laid that the outer edge of the block, which shall be four (4) inches thick, shall be level with the top of the rail. Between these rows of granite blocks, the paving shall consist of vitrified block-brick, specially burnt for paving purposes, of uniform size, free from flaws, cracks or breaks. The blocks shall be laid on edge, parallel with the rail and on a level with the rail. The paving shall be rammed two (2) or more times under the flatter, as the City Engineer may direct, with a paver's hammer weighing not less than forty (40) pounds, and no metal on the lower face shall be allowed to come in contact with the paving, or the paving shall be thoroughly rolled with a light road roller as may be directed by the City Engineer. The paving eighteen inches (18) on the outside of the rails of the track shall be laid of the same character of block brick, and in the same manner as prescribed above, except that all bricks laid on the outside of the rails shall be laid one-quarter ($\frac{1}{4}$) of an inch lower than the top of the rail. After the brick work is completed the joints or space between all brick and the granite blocks and the rails shall be filled with cement grout of best quality, or asphalt filler, or paving pitch, as may be directed by the General Council. This filler shall be mixed and poured as per specifications prescribed by Section 70 of Ordinance No. 2876. The void on the outside of the rail between the head and the base of the rail, and between the first row of brick and the web of the rail, shall be filled with a mixture consisting of one (1) part of Portland cement, three (3) parts of sand, and three (3) parts of clay or loam. This mixture shall be mixed to a plastic consistency and shall be placed just prior to the laying of the first row of paving brick on the outside of the rail.

Sec. 680. Bitulithic Paving. When said Company's portion of a street is to be constructed with amesite, filbertine, asphaltic concrete or other improved form of bitulithic paving, the General Council shall so authorize and direct, the work shall be done in accordance with the following specifications: "The base or

foundation shall consist of a bed of crushed stone that will pass through a two (2) inch ring, six (6) inches thick, under the ties and between the ties to a point two (2) inches below the base of the rail. On top of this there will be laid a course of Portland Cement concrete, which shall be mixed as is specified in Section . . . , which shall be laid to a point three (3) inches below the top of the rail, excepting a space five (5) inches wide on each side of the rails for laying the granite blocks hereinafter specified, at which point the concrete shall be laid to a point five (5) inches below the top of the rail. All work up to this point shall be done by the Kentucky Traction & Terminal Company. Along the five (5) inch space on each side of the rail hereinbefore mentioned shall be then laid a layer of good clean, sharp sand one (1) inch in depth. Upon this sand, and along the inner guage side of the rail on each side shall be laid parallel with the rail standard granite blocks, cut and dressed as per blue-print hereto attached and made part of this ordinance. The thin side of the block passing underneath the head of the rail, and the blocks being laid, so that the outer edge of the block shall be four (4) inches thick, shall be on a level with the top of the rail. Between these rows of granite blocks shall be laid the paving designated by the General Council of the City of Lexington, and this paving shall be laid in all respects in accordance with the general specifications for such paving, which may have been, or may hereafter be adopted by the General Council of the City of Lexington for the construction or re-construction of streets with such paving. Against the outside of the rails there shall be laid standard granite blocks as specified in Section 77 of Ordinance No. 2876 (Sec. 553), flat and parallel with the rail. These blocks shall be laid upon a layer of good, clean, sharp sand one (1) inch thick, of the same character in all respects as hereinbefore provided with respect to the granite block laid on the inner or guage side of the rail, except that they shall be laid one-eighth ($\frac{1}{8}$) of an inch lower than the top of the rail. The remainder of the eighteen (18) inches on the outside of the rail shall be laid with paving the same as prescribed, between the rails and the rest of the street. The void on the outside of the rail between the head and base of the rail and between the granite block and the web of the rail shall be filled with a mixture consisting of one (1) part of Portland Cement, three (3) parts of sand and three (3) parts of clay or loam. This shall be mixed to a plastic consistency, and shall be placed just prior to the laying of the first row of paving brick on the outside of the rail.

Sec. 681. The ordinance ordering the construction of any street on which is located a street car track, must specify which kind of paving is to be used in the car track.

Sec. 682. In the construction of said Company's portion of any street under the provisions of this ordinance, such work shall, in any particular not covered by this ordinance, be controlled by, and done in accordance with the provisions of Ordinance No. 2876 (Sections 576 to 677 inclusive) of the City of Lexington.

Sec. 683. Nothing herein shall be constructed as repealing Ordinance No. 2876 of the City of Lexington, (Sections 576 to 677 inclusive), or any part thereof. The General Council expressly reserves the right to require the Kentucky Traction & Terminal Company to construct its portion of any street in accordance with the specifications prescribed under said Ordinance 2876, (Sections 576 to 677 inclusive), and said Company shall not construct its portion of any street under the specifications prescribed by this ordinance, unless authorized to do so by ordinance of the General Council.

CHAPTER 16.

TAX BILLS.

Sec. 684. **Correction of Name.** Whenever an error of any description in the name or names only appear upon the tax bills, and the taxpayer desires same corrected, the City Treasurer is hereby authorized and directed to make said correction.

Sec. 685. **Contractor Entitled to.** Upon request made upon the City Auditor by any contractor who is entitled to the benefit of special taxes levied by ordinances for the construction of any sewer, sidewalk, street or other improvement, it shall be the duty of the auditor to furnish said contractor a tax bill against each person upon whose property such taxes has been, or may be levied, which tax bill shall be in substantially the following form:

"I certify that a special and local tax of.....dollars (\$.....) was levied by Ordinance No..... on the property of situated onStreet, Lexington, Kentucky, to pay for the construction of..... on said street, which tax bears interest at the rate of six per cent per annum from.....until paid. This tax is due and payable to..... contractor for said work, and said contractor is entitled to collect this tax bill.

Upon the production of this tax bill at this office properly receipted by said contractor, a certificate will be given showing payment of said tax and the lien provided by law for the security thereof will be cancelled and released."

The blanks in said tax bills will be properly filled by the auditor showing the name of the person, amount of tax and interest, number of the assessing ordinance, name of street, kind of improvement and the name of the contractor entitled to the tax. Said bill will be signed by the auditor in his official capacity and he will make proper entry on his record of said tax showing the issuance of said tax bill.

Sec. 686. **Collections by Contractors.** When any such tax bill has been issued to a contractor he will have the right to collect on the same from the person liable therefor, whereupon, the contractor will receipt the tax bill and deliver it to the person paying same, and it will then be the duty of such person to present the receipted tax bill to the auditor, who will take up and retain the same on file in his office, and he will also issue to such person an official certificate showing that the tax bill has been produced to him properly receipted, and that the tax lien is thereupon released. This section will be printed upon the back of such tax bills.

Sec. 687. **Lien Not Waived.** Nothing herein shall be construed as releasing or waving the lien provided by law for the security of improvement taxes, except as provided in the preceding section, and any contractor holding unpaid tax bills may at any time return them to the auditor, whereupon further proceedings may be had thereon, as provided by law and said tax lien enforced by appropriate action.

Sec. 688. **When Contractor Not Entitled to.** In no case will the auditor deliver tax bills to any contractor when the same, or the proceeds thereof, may have been assigned by the contractor or attached under order of court.

CHAPTER 17.

WARDS OF THE CITY.

Sec. 689. That all of the territory within the corporate limits of the City of Lexington, Kentucky, as now laid off and defined, be, and the same is hereby laid off and divided into six (6) wards.

Sec. 690. **First Ward.** All of that part of the City of Lexington within the following described boundary is hereby laid off and established as the first ward, viz: Beginning at the center of the intersection of Broadway and Main Streets, thence south with the center line of Broadway to the city limits, thence in a northwesterly direction with the city limits to the center line of Main Street thence east on Main street to Broadway.

Sec. 691. **Second Ward.** All of that part of the City of Lexington within the following described boundary is hereby laid off and established as the second ward, viz: Beginning at the center line of the intersection of Broadway and Main streets, thence west with the center line of Main street to the city limits, thence with the city limits in a northeasterly direction to the center line of Broadway Street, thence south with the center line of Broadway to the beginning.

Sec. 692. **Third Ward.** All that part of the city within the following boundary is hereby laid off and established as the third ward, viz: Beginning at the center of the intersection of Broadway and Main streets, thence north with the center line of Broadway to the city limits, thence with the city limits in an easterly direction to the center line of Limestone street, thence south with the center line of Limestone street to the center of the intersection of Limestone and Fourth streets, thence with the center line of Fourth street east to the center of the intersection of Fourth and Walnut streets, thence with the center line of Walnut street to the center of the intersection of Walnut and Third streets, thence with the center line of Third street west to the center of the intersection of Third and Limestone streets, thence with the center of Limestone street south to the center of the intersection of Limestone and Main streets, thence with the center line of Main street west to the beginning.

Sec. 693. **Fourth Ward.** All that part of the City of Lexington within the following prescribed boundary is hereby laid off and established as the fourth ward, viz: Beginning at the center of the intersection of Limestone and Main streets, thence north with the center line of Limestone street to the center of the intersection of Limestone and Third streets, thence east with the center line of Third street to the center of the intersection of Third and Walnut streets, thence north with the center line of Walnut street to the center of the intersection of Walnut and Fourth streets, thence west with the center line of Fourth street to the center of the intersection of Fourth and Limestone streets, thence north with the center of Limestone street to the city limits, thence in an easterly direction with the city limits to Main street, thence with the center line of Main street west to the beginning.

Sec. 694. **Fifth Ward.** All that part of the City of Lexington within the following prescribed boundary is hereby laid off and established as the fifth ward, viz: Beginning at the intersection of Limestone and East Main streets, thence east with the center line of Main street to the city limits, thence with the city limits in a southwesterly direction to the center line of Limestone street, thence north on Limestone street to the beginning.

Sec. 695. **Sixth Ward.** That all that part of the City of Lexington within the following prescribed boundary is hereby laid off and established as the sixth

ward, viz; Beginning at the intersection of Main and Limestone streets, thence south with the center line of Limestone street to the city limits, thence in a westerly direction with the city limits to Broadway, thence with the center line of Broadway to Main street, thence with the center line of Main street east to the beginning at Main and Limestone streets.

APPENDIX

ORDINANCE NO. 593.**Providing for the Appointment of a Building Inspector—Prescribing His Duties and Fixing His Compensation.**

Be it ordained by the Board of Commissioners of the City of Lexington :

Sec. 1. There is hereby created in the Department of Public Works the position of employment of Building Inspector at a salary of one hundred and twenty-five (\$125.00) per month. Said position will be filled by appointment of the Board of Commissioners as other positions of employment are filled, but no one shall be appointed Building Inspector until he has passed a satisfactory examination as provided in the next section.

Sec. 2. A Board of Examiners consisting of five (5) persons shall be appointed by the Mayor to examine all applicants for the position of Building Inspector with reference to their qualifications for such position. Said board shall be appointed as follows: One member from the Federation of Labor, one from the Actuarial Bureau, one from the Builders' Exchange, one to be an Architect selected by the Board of Commerce and one to be a Civil Engineer from the State University. Said appointments to be made by the Mayor upon the recommendation of the governing authority of the respective organizations and corporations above named. They shall be appointed for one (1) year and until their successors are appointed, and will serve without compensation. All applications for appointment as Building Inspector will be filed with or referred to said Board of Examiners, which board will, upon reasonable notice to the applicants, examine them with reference to their qualifications for said position and will report the result of their examinations in writing to the Board of Commissioners.

Sec. 3. It shall be the duty of the Building Inspector to examine all plans submitted to the Commissioner of Public Works for building permits to see if they are in accordance with the ordinances, and the building requirements and regulations of the city and he will report the result of such examinations to the Commissioner of Public Works. He will also examine and inspect from time to time all buildings and structures being erected in the city to see if the work is being done in accordance with the plans therefor and the ordinances, and the building requirements and regulations of the city and will report the result of his inspections to the Commissioner of Public Works. He will also make such examinations and inspections, from time to time, of existing buildings and structures as the Commissioner of Public Works may direct, to see if such buildings conform to the ordinances, and the building requirements and regulations of the city and will report the result of his inspections to the Commissioner of Public Works.

Sec. 4. This ordinance shall take effect when signed, recorded and published as required by law.

Passed Board of Commissioners March 8, 1915.

Attest :

JAS. J. O'BRIEN, City Clerk.

J. E. CASSIDY,

Mayor.

***ORDINANCE NO. 621.**

To Amend and Re-Enact Section 138 of the Revised Ordinances Relating to Automobile Licenses.

Be it ordained by the Board of Commissioners of the City of Lexington :

Sec. 1. That Section 138 of the Revised Ordinances be and the same is hereby amended to read as follows :

Sec. 138. Each person, firm or corporation, other than a keeper of a garage as defined in the preceding section, who shall operate an automobile within the City for the purpose of carrying passengers for hire, or who shall rent out automobiles in the City for hire, shall pay an annual license fee of Twenty-Five (\$25.00) Dollars, which license shall authorize the operation or rental of one (1) machine; and such person, firm or corporation, shall pay an additional annual license of Ten (\$10.00) Dollars for each additional machine so operated or rented out by him. No license shall be issued under this section except upon payment of the full year's license fee. Upon the payment of such license, the City Clerk shall, without charge, furnish registry tags as provided in Section 131 of the Revised Ordinances. Any person who shall violate this section shall, upon conviction, be fined not less than Ten (\$10.00) Dollars, nor more than Twenty-Five (\$25.00) Dollars for each offense, and the operation or rental of each machine without a license as provided in this section shall constitute a separate offense.

Sec. 2. This ordinance shall take effect when signed, recorded and published as required by law.

Passed Board of Commissioners, April 16, 1915.

Attest :

JAS. J. O'BRIEN, City Clerk.

J. E. CASSIDY,

Mayor.

*NOTE—Amends Sec. 203 of this Revision.

*** ORDINANCE NO. 662.**

To amend and re-enact Section XVII. of Ordinance No. 149 of the City of Lexington, Entitled: "An ordinance to establish a Sanitary and Health Code for the City of Lexington and to Provide Penalties for the violation thereof," passed by the Board of Commissioners July 9, 1913.

Be it ordained by the Board of Commissioners of the City of Lexington:

Sec. 1. That Section 17 of said Ordinance No. 149, of the City of Lexington, be amended and re-enacted to read as follows:

Sec. XVII. No person shall bring any fresh meat, poultry, fish, ice cream, or other fresh meat or meat product into the City of Lexington for sale without a permit so to do from the Health Officer; and no person shall operate any place where fresh meat, poultry, fish, ice cream, or other fresh meat or meat product is produced, prepared, kept, offered for sale, or sold in the City of Lexington, or any soda fountain, pop or other bottling factory, or other place where foods are produced, prepared, stored, kept or offered for sale, except foods which, from their method of packing, and by reason of handling in original packages, are not subject to contamination, without a permit so to do from the Health Officer. Such permit shall be issued annually by the Health Officer, free of charge, subject to the approval of the Board of Health and the Board of Commissioners, and only upon the Health Officer and the Board of Commissioners being satisfied that the place where such products are being produced, prepared, stored, kept, or offered for sale, is operated and maintained in a condition as provided for in other provisions of this ordinance, and that such place has the equipment and method necessary for the maintenance of sanitary conditions throughout. And whenever such sanitary conditions, as provided in this ordinance, shall be found not to exist, such permit shall be revoked, provided, however, that before the revokal of such permit the party or parties at interest shall be given a notice of the conditions complained of, together with a statement of a time within which the conditions shall be corrected, and if, after such notice, conditions are not corrected, then shall the permit be revoked, but the party or parties at interest shall have the right to appeal to the Board of Health, the Board of Commissioners and to the courts. Such permit shall be renewed annually on the first day of April to be valid, and the payment of any license fee to the City of Lexington shall not entitle the holder of such license to operate any business for which a sanitary permit is required in this ordinance, unless such party or parties also comply with the conditions necessary for the sanitary permit. No person or persons shall do any street vending of fish upon the streets of the City of Lexington. Any person or persons bringing for sale in the City of Lexington, or selling any such products as mentioned in this section without a permit so to do, or after such permit shall have been revoked, or street vending of fish, shall, upon conviction, be fined not less than ten (\$10.00) dollars nor more than One Hundred (\$100.00) Dollars, for each offense, and each day's time shall constitute a separate offense.

Sec. 2. This ordinance shall take effect when signed, recorded and published as required by law.

Passed Board of Commissioners June 4, 1915.

Attest:

JAS. J. O'BRIEN, City Clerk.

J. E. CASSIDY,

Mayor.

*NOTE—Amends Sec. 31, this Revision.

ORDINANCE NO. 607.**PRESCRIBING SPECIFICATIONS, RULES AND REGULATIONS FOR
SANITARY PLUMBING, CREATING A BOARD OF EXAMINERS
PLUMBERS.**

Be it ordained by the Board of Commissioners of the City of Lexington:

PREAMBLE.

These rules and regulations shall apply to and include all sanitary work, installation or equipment hereafter installed, constructed or altered in, for or about a building or structure of any kind, class or character, or used, or to be used for any purpose whatsoever.

TITLE I.**Board of Examiners, Plumbing Inspector and Duties of Same.**

Sec. 1. No person shall hereafter follow, engage in or work at the trade or occupation of plumbing in the City of Lexington, either as a master plumber or a journeyman plumber until he shall have first procured a license therefor in accordance with the provisions herein.

Sec. 2. Any person desiring to follow, engage in or work at the trade or occupation of plumbing in the City of Lexington, either as a master plumber or a journeyman plumber, shall make application to the Board of Examiners, hereinafter provided for, and shall, at such time and place as such Board may designate, undergo an examination as to his qualifications and competency in the plumbing trade.

Sec. 3. There is hereby created a Board of Examiners of Plumbers consisting of six (6) members, one to be a member of the Board of Health, one (1) to be a member of the Health Department, the Plumbing Inspector, two (2) Master Plumbers and one (1) Journeyman Plumber. All members are to serve without compensation. The other members shall be appointed by the Board of Health subject to the approval of the Board of Commissioners, for a term of office as follows: One (1) Master Plumber for one (1) year, one (1) Master Plumber for two (2) years and one (1) Journeyman Plumber for three (3) years, and said appointments shall be made as soon as allowed by law, after the passage of this ordinance. After the expiration of the first term of office, the three (3) members mentioned above shall each be appointed for a term of three (3) years.

Sec. 4. Said Board of Examiners shall, within thirty (30) days after the appointment of members meet and organize by the selection of a Chairman and Secretary, and a time and place shall be designated for the examination of all applicants for license. Said Board shall examine applicants for a master plumber's license as to their practical and theoretical knowledge of plumbing, house drainage and ventilation and also as to their ability to lay out plumbing work. All applicants for a journeyman plumber's license shall be by such Board, examined as to their practical knowledge of and mechanical competency in the performance of plumbing work. All applicants, whether for a master's or journeyman's license shall be examined as to their knowledge of the ordinance of the City regulating such work. Such examinations may be made in whole or part in writing. If satisfied of the competency of the applicant, the board shall so certify, and, whether as a master plumber or journeyman plumber, to the City Clerk, and

he shall, upon the payment by the applicant into the City Treasury of the fee hereinafter prescribed, issue to such applicant a license in accordance with such certificate, authorizing him to follow, engage in or work at the trade or occupation of plumbing in the City of Lexington in the capacity specified in such license. The fee for a license as a master plumber shall be five (\$5.00) dollars, and for a license as a journeyman plumber shall be one (\$1.00) dollar. Such license shall be renewed annually upon the payment of a fee of fifty (\$0.50) cents. Any applicant having failed to successfully pass an examination, either for a master plumber's license or a journeyman plumber's license, shall not be eligible for re-examination until the expiration of a period of six (6) months from date of former examination. A temporary license may be issued by the Plumbing Inspector to any applicant for either master or journeyman plumber license until an examination for same is held. Every person who shall receive a license as a master plumber shall register with the Secretary of the Board of Examiners, upon such form or forms as the said board may direct, his name, place of business and home address. Every partnership or corporation desiring to engage in the business of plumbing, gas fitting and drainlaying as a master plumber shall cause to be filed with the secretary of the said Board of Examiners a statement, subscribed and sworn to by a member of such partnership or an officer of such corporation, reciting the members of the partnership, its place of business, or the officers, foreman or superintendent of such corporation and its place of business. Every partnership and corporation desiring to engage in the business of plumbing, gas fitting and drainlaying as a master plumber, shall have at least one member of such partnership, or one officer, foreman or superintendent of such corporation, a qualified licensed master plumber, and such partnership or corporation may follow and engage in such business of master plumber upon the license of such member or officer. However, should such member of such partnership, or officer, foreman or superintendent of such corporation, cease to represent it actively, then it shall be unlawful for such partnership or corporation to engage in such business as master plumber until another person has qualified as herein provided for. The license herein provided for may at any time be revoked for incompetency, dereliction of duty or fraudulent use thereof, after a full and fair hearing by a majority of the Examining Board.

Sec. 5. All work and equipment in the construction, installation, alteration and the repair of sanitary plumbing, for or about any building or structure of any kind, class or character shall be done in accordance with the specifications hereinafter set out and prescribed and not otherwise.

Sec. 6. There is hereby created the position of Plumbing Inspector, who shall be appointed by the Board of Health, subject to the approval of the Board of Commissioners, as other appointments are confirmed. Said Inspector shall have had at least five (5) years practical experience in the plumbing trade, and prior to his appointment shall have passed, with a grade of 80% or above, a competitive examination (when there is more than one candidate) for said position, said examination to be held under the supervision of the Board of Health and covering the fundamental knowledge of the plumbing trade. Said Inspector shall receive for his services a compensation not to exceed \$1,500 per annum, or \$125.00 per month, but in no case shall his compensation exceed the amount of fees collected. He shall devote his entire time to the duties of the office of Plumbing Inspector and shall not be interested in any branch of the building or plumbing business or any organization connected with same, while holding office, and shall execute bond in the sum of \$1,000.00 for the faithful performance of his duty.

Sec. 7. It shall be unlawful to proceed with the construction, repair, alteration or addition to the plumbing and drainage systems in any building or struc-

ture, or upon the premises thereof, without first having obtained a plumbing permit in accordance with the provisions of this ordinance. In order to obtain the same, the master plumber must be registered in the office of the Plumbing Inspector, after showing to the satisfaction of the Inspector that he has been duly examined by the Board of Examiners of Plumbing as to his qualifications to do plumbing. It shall be the duty of the plumber undertaking said work to make application for such permit in the office of the Plumbing Inspector upon blanks to be prepared for that purpose, filing therewith drawings and descriptions for all the plumbing and drainage work, and consisting of such floor plans and sections as may be necessary to show clearly all of the work to be done; and no work shall be commenced or proceeded with until such drawings and descriptions shall have been filed and approved by the Plumbing Inspector. No modifications of the approved drawings and descriptions will be permitted unless either amended drawings or descriptions, or an amendment to the original drawings and descriptions, covering the proposed change or changes, are so filed and approved by the Inspector. Repairs or alterations that do not provide for additional fixtures or changes in the vertical or horizontal soil, waste, vent or leader pipes, may be made without a permit. In filing drawings and descriptions, one set will be received for not more than five (5) houses, and then only when on adjoining lots and the houses are exactly alike. All such drawings and descriptions shall be filed in duplicate, if it shall appear to the Plumbing Inspector that the said laws and ordinances have been complied with, and that the entire system of such plumbing will be in accordance with the provisions of this ordinance, he shall issue the permit asked for and approve the drawings and descriptions. Whenever work is ready for inspection, notice in writing must be given to the Inspector, who shall inspect or cause to be inspected said work within twenty-four (24) hours from the receipt of such notice. After each inspection, as provided for under this ordinance, the Inspector shall, if the work conforms to the requirements of this ordinance, issue a certificate of such inspection and approval to the owner or contractor doing the work.

Sec. 8. Fees shall be charged for all plumbing permits and inspections and shall be as follows: A minimum fee of two and one-half (\$2.50) dollars for each permit, and one (\$1.00) dollar for each inspection; except where the cost of said plumbing work exceeds one thousand (\$1,000.00) dollars, there shall be one (\$1.00) dollar additional charged for both permit and inspection fees for each one thousand (\$1,000.00) dollars or fraction thereof in excess of one thousand (\$1,000.00) dollars, further, that a maximum fee of two and one-half (\$2.50) dollars including both permit and inspection fee shall be charged when said plumbing work consists of the installation of only an anti-freezing toilet. All fees for any re-inspection of plumbing work made necessary by faulty work, shall conform to the scale set out above for original inspection. All fees so collected shall be paid into the hands of the City Treasurer and applied solely to the payment of the salary of the Plumbing inspector and the expenses of his office, further, all permit fees shall be paid prior to receiving permit and all inspection fees paid when application for inspection is made.

TITLE II.

Definitions.

Sec. 9. **Waste Pipe.** A waste pipe is any pipe which receives the discharge of any fixture except water closets and conveys the same to the soil pipe or house drain.

Sec. 10. **Soil Pipe.** A soil pipe is any pipe which conveys the discharge of water closets, with or without other fixtures, to the house drain.

Sec. 11. House Drain. A house drain is that part of the horizontal piping of a house drainage system which receives the discharge of all soil, waste and other drainage pipes inside the walls of any building and conveys the same to the house sewer, three (3) feet outside the foundation wall of such building.

Sec. 12. House Sewer or Main Drain. A house sewer or main drain is that part of the horizontal piping beginning three (3) feet from the foundation wall to its connection with the main sewer or cess-pool.

Sec. 13. Vent Pipes. A vent pipe is any pipe provided to ventilate a drainage or plumbing system of piping and to prevent syphonage and back pressure.

Sec. 14. Back Vent Pipes. A back vent pipe is that part of a vent pipe line which connects directly with an individual trap underneath or back of the fixture, and extends either to the branch, main, soil or waste vent.

Section 15. Soil or Waste Vent. The soil or waste vent is that part of the main soil or waste pipe above the highest installed branch or fixture connection, extending through the roof.

Sec. 16. Conductors and Roof Leaders. Conductors and roof leaders are conveyors which carry the storm or rain water from the roof of a building to the pipe line connecting with the storm water sewer or street gutter. The term "downspouts" is usually applied to the vertical portions.

Sec. 17. Local or Surface Vent. A local or surface vent is a pipe by which the foul air in bowls or water closets or other plumbing fixtures is removed.

Sec. 18. Subsoil Drains. A subsoil drain is that part of a drainage system which conveys the subsoil or ground or seep from the foot of walls or below the cellar bottom under buildings, to the house sewer, but independent of the house drain.

Sec. 19. Trap. A trap is a fitting so constructed as to prevent the passage of air or gas through a pipe without materially affecting the flow of sewage or waste water therein.

Sec. 20. Depth of Seal. Depth of seal is the height of the water column measured between the points of overflow and the dip or division level separating the inlet and outlet arms of the trap.

Sec. 21. Plumbers' Work. Plumbers' work shall include all piping in a building upon which tests are required, to a point three (3) feet outside the foundation wall, and shall include the house drain, soil and waste stacks, conductors and roof leaders.

TITLE III.

Size of Pipes.

Sec. 22. Sizes of Drains, Soil and Waste Stacks, Mains and branches.

A.—Twenty (20) square feet of roof or yard area in horizontal projection counts as one (1) fixture.

B.—Three (3) feet of urinal trough or wash sink counts as one (1) fixture.

C.—One (1) bath, basin or sink, or smaller fixture counts as one (1) fixture.

D.—One (1) pedestal urinal or slop hopper sink counts as two (2) fixtures.

E.—Dimensions given refer to inside diameter.

Maximum Number of Fixtures Connected To.

Waste, Soil and Waste Combined.			Soil Pipe Alone.	
Size of Pipe	Branch.	Main.	Branch	Main.
1 1/4-inch	1 Fixture	1 Fixture		
1 1/2-inch	2 Fixtures	3 Fixtures		
2 -inch	4 Fixtures	8 Fixtures		
2 1/2-inch	5 Fixtures	10 Fixtures		
3 -inch	10 Fixtures	20 Fixtures	1 Water Closet	2 Water Closets
3 1/2-inch	20 Fixtures	40 Fixtures	1 Water Closet	2 Water Closets
4 -inch	32 Fixtures	64 Fixtures	8 Water Closets	16 Water Closets
5 -inch	72 Fixtures	144 Fixtures	18 Water Closets	36 Water Closets
6 -inch	144 Fixtures	288 Fixtures	36 Water Closets	72 Water Closets
7 -inch	252 Fixtures	504 Fixtures	63 Water Closets	126 Water Closets
8 -inch	420 Fixtures	840 Fixtures	105 Water Closets	210 Water Closets
9 -inch	580 Fixtures	1160 Fixtures	145 Water Closets	290 Water Closets
10 -inch	800 Fixtures	1600 Fixtures	200 Water Closets	400 Water Closets
11 -inch	1060 Fixtures	2120 Fixtures	265 Water Closets	530 Water Closets
12 -inch	1420 Fixtures	2840 Fixtures	355 Water Closets	710 Water Closets

F.—Providing that the number of water closets on any soil pipe, with or without other fixtures, shall never exceed the number given in either of the last two (2) columns.

G.—The number of fixtures in a building shall determine the size of the house drain and the area of the soil or waste stacks shall not be less than the area of the house drain.

H.—If earthenware drains or sewers are used the diameter of the pipe shall be increased one (1) size over the above table.

Sec. 23. **Size of Fixture Traps and Wastes.** The size (inside diameter) of the trap and waste branches for a given fixture shall never be less than the following:

Kind of Fixtures—	Size in Inches	
	Trap	Branch
Water closet	3	3
Slop sink with trap combined	3	3
Slop sink, ordinary	2	2
Lip urinal	1 1/2	1 1/2
Pedestal urinal	3	3
Floor drains or wash	3	3
Yard drains or catch basins	3	3
Urinal troughs	2	2
Laundry tub	1 1/2	2
Kitchen sinks (residence)	1 1/2	2
Kitchen sinks (large), hotels or public	2	2
Pantry sinks (large), hotels or public	2	2
Pantry or bar sinks	1 1/2	2
Wash basins, one (1) only	1 1/2	2
Bath tubs	1 1/2	1 1/2
Shower baths	2	2
Sitz bath	1 1/2	1 1/2
Safe waste and drip	1	1
Drinking fountains	1 1/4	1 1/4
Fountain cuspidors	1 1/4	1 1/4

Sec. 24. **Size of Vent Pipe Stacks.** The following table gives the size of vent pipes and the maximum number of fixtures they shall serve:

Size of Pipe	Maximum Developed Length in Feet.	Number of Traps 1½ inches or less	Number of Traps, 2-inch	Number of Water Closets
1¼-inch	15	1 (1¼ trap)		
1½-inch	25	3	1	
2 -inch	40	12	6	3
2½-inch	60	24	12	6
3 -inch	90	48	24	12
3½-inch	130	100	50	25
4 -inch	180	160	80	40
5 -inch	240	210	140	70
6 -inch	330	480	240	120

For five (5) inch traps and over, the vent shall be one-half (½) the diameter of the trap.

If the length of a branch or main vent pipe is to exceed the given maximum, the above diameter must be increased to the tabulated size opposite the length required, irrespective of the number of traps vented, but in no case shall the main vent be less than one-half (½) the diameter of the adjoining soil pipe.

Sec. 25. **Size of Local Vent Pipe Stacks.** In the following table the unit of a local vent for a single water closet, pedestal urinal, urinal bowl, slop hopper or sink, and to each three (3) feet of urinal or gutter shall be a two (2) inch pipe.

Size of Pipe.	Maximum Developed Length in Ft. Mains.	—No. of Closets Vented—	
		Branches.	Main Vertical Part
2-inch	40	1	1
3-inch	100	3	6
4-inch	150	6	12
5-inch	200	10	20
6-inch	250	16	32
7-inch	300	23	46
8-inch	350	32	64
9-inch	400	42	84
10-inch	450	56	112
11-inch	500	72	144
12-inch	550	90	180

The dimensions given refer to the inside diameter of the pipe.

Where the number of fixtures exceeds the limit of the tables, sizes and lengths shall be increased in corresponding ratio.

TITLE IV.

MATERIALS, QUALITY AND WEIGHT.

Sec. 26. **Earthen Ware Pipe—Quality of Pipe.** All earthenware pipe and fittings shall be of hub and spigot pattern, cylindrical in section, thoroughly vitrified through the thickness of the pipe, and thoroughly salt-glazed over the entire inner and outer surfaces or its equal, as shown by reliable and competent tests. Each length shall be of a uniform caliber, smooth bore throughout, without twist or wind, and free from fire cracks, blisters, flaws or other defects.

Earthen ware pipe used for tile drains shall be without hub or socket, and can be either cylindrical or D-shaped in section.

Sec. 27. **A. Cast Iron Pipe—Quality of Pipe.** All cast iron pipe and fittings shall be sound, cylindrical and smooth, free from cracks, sand holes and other defects, of a uniform thickness and not lighter than the commercial grade known as "extra heavy."

B. Weights of Cast Iron Pipe. Pipe shall not weigh less than the following per lineal foot, which weights include the hubs:

Diameter of Pipe.	Weights per Foot.
2-inch	5½ pounds
3-inch	9½ pounds
4-inch	13 pounds
5-inch	17 pounds
6-inch	20 pounds
7-inch	27 pounds
8-inch	33½ pounds

C. Coating for Cast Iron Pipes and Fittings. All pipe shall be coated at the factory for underground use with asphaltum or coal tar pitch. Pipes and fittings above ground may be plain or coated with linseed oil, coal oil, asphaltum or coal tar pitch.

Sec. 28. **Wrought Iron and Mild Steel Pipe. A. Thickness and Weight of Pipe.** All wrought iron or mild steel pipe used for soil, waste or vent pipes shall be galvanized and not lighter than the commercial grade known as "full weight."

B. The fittings for wrought iron or mild steel waste, soil and refrigerator waste shall be cast or malleable iron or brass recessed drainage fittings, with smooth interior waterway and threads tapped out of solid metal so as to give a uniform grade to branches of not less than ¼-inch per foot.

C. Threaded fittings for soil, waste and vent pipes shall be of brass, galvanized malleable iron or cast iron.

Sec. 29. **Lead Pipes—Weights of Lead Pipe.** All pipe used for branch soil, waste, vent or flush pipes shall be of the best quality of drawn pipe, of not less weight per lineal foot than shown in the following table:

Lead branch soil, waste, vent or flush pipes, including bends and traps:

Internal Diameter.	Weights Per Foot.
1 -inch	1 pound 8 ounces
1¼-inch	2 pounds 8 ounces
1½-inch	3 pounds 8 ounces
2 -inch	4 pounds
3 -inch	6 pounds
4 -inch	8 pounds

Sec. 30. **Brass Pipe and Fittings.** Brass pipe for soil, waste and vent pipes shall be thoroughly annealed, seamless drawn or brazed tubing, having weight and outside diameter of not less than the following:

Nominal Diameter	Gauge No. B. & S.	Thickness.	Weights.
1¼ inches	12	5-64 inches	1.08 pound
1½ inches	12	5-64 inches	1.32 pound
2 inches	12	5-64 inches	1.79 pound
2½ inches	10	7-64 inches	2.82 pound
3 inches	10	7-64 inches	3.41 pound
4 inches	8	⅛ inches	5.74 pound
5 inches	8	⅛ inches	7.22 pound
6 inches	8	⅛ inches	8.71 pound

For flush and local vents No. 18 gauge may be used. Drawn tubing only shall be used for larger sizes, two and one-half (2½) inches to six (6) inches, and brazed tubing may be used for the smaller sizes, one and one-fourth (1¼) inches to two (2) inches. Brass fittings shall be of good quality of cast brass, having a thickness given for the corresponding brass pipe. The thickness of the tapped ends shall be one and one-half (1½) times the thickness of the corresponding pipe.

Brass Ferrules. Brass ferrules shall be best quality, extra heavy, cast brass, not less than four and one-half (4½) inches long and 2¼, 3½ and 4½ inches in diameter and not less than the following weights.

Diameters.	Weights
2¼ inches	1 pound
3½ inches	1 pound 12 ounces
4½ inches	2 pounds 8 ounces

Soldering Nipples. Soldering nipples shall be heavy cast brass, or of brass pipe, iron pipe size. When cast they shall be full bore and not less than the following weights:

Diameters.	Weights
1¼ inches	6 ounces
1½ inches	8 ounces
2 inches	14 ounces
2½ inches	1 pound 6 ounces
3 inches	2 pounds
4 inches	3 pounds 8 ounces

Cleanouts. Screw caps for cleanouts shall be extra heavy brass, not less than one-eighth (⅛) of an inch thick.

The screw cap shall have a solid square or hexagonal nut not less than one (1) inch high. The body of a cleanout ferrule shall be at least equal in weight and thickness to the calking ferrule of the same sized pipe. The engaging part shall have not less than six (6) threads of iron pipe size, and be tapered.

Sec. 31. **Sheet Lead.** Sheet lead for the roof flashing shall not weigh less than four (4) pounds per square foot, and shall extend not less than six (6) inches from the pipe and the joint shall be made water tight.

Sec. 32. **Copper.** Copper tubing when used for inside roof conductors or leader connections shall be seamless drawn tubing, not less than No. fourteen (14) B. & S. gauge, and when copper is used for roof conductor or leader flashings, it shall be not less than No. eighteen (18), B. & S. gauge, and for local vents and interior ventilating pipes, may be spiral of gauge No. twenty-six (26).

TITLE V.

JOINTS AND CONNECTIONS.

Sec. 33. **Water and Air-Tight Joints.** All joints and connections prescribed under this title shall be made gas and water-tight.

Sec. 34. **Earthen Ware Pipes.** Joints between the spigot and hub shall be half filled with a gasket of oakum and the joint then finished with a mortar made of one (1) part best Portland cement and two (2) parts of clean, sharp sand. Each joint shall be carefully banked, wiped and cleaned.

Sec. 35. **Earthenware to Iron Pipes.** Underground joints to earthenware and iron pipes shall be made the same as above prescribed for earthenware pipe.

Sec. 36. **Cast Iron Pipe.** All joints in cast iron pipe shall be made with pure lead, well caulked, and not less than one (1) inch deep, and no paint, varnish or putty will be allowed until the joints have been tested. Oakum or some other efficient method shall be used to prevent the lead from running through the joint.

Sec. 37. **Wrought Iron, Mild Steel and Brass Pipe.** Joints in galvanized iron, mild steel or brass pipe shall be standard screw joints and all burrs or cuttings shall be removed. All joints shall be made up of white or red lead or mineral paint.

Sec. 38. **Wrought Iron, Mild Steel and Brass to Cast Iron.** Connections between wrought iron, mild steel or brass and cast iron shall be either a calked joint (Sec. 36), or a screwed joint (Sec. 37). All unions used on the sewer side of the traps shall be ground faced and shall not be concealed or enclosed. No slip joint connection will be allowed on the sewer side of the trap.

Sec. 39. **Lead Pipe.** All joints between lead pipes, traps or bends and solder nipples or ferrules, or joining one lead pipe to another, shall be wiped joints made with plumber's wiping solder composed of one (1) part pure block tin and two (2) parts of pure lead. All wiped joints shall have the junction of pipes in the center or heaviest part of the joint, and there shall be a thickness of solder of at least three-eighths ($\frac{3}{8}$) of an inch at this point, and the joint shall be of a uniform thickness all around, with edges wiped clean and smooth. The length of wiped joints shall not be less than one (1) inch from the center of the joint to the edge of same on all sides.

Sec. 40. **Lead to Iron Pipes.** Joints between lead and iron pipes shall be made by extra heavy cast iron or drawn screw nipple, and either with a calked joint or a solder nipple with a threaded joint or approved concaved brass bushings.

Sec. 41. **Earthenware With Metal Floor Connections.** Fixtures with earthenware traps connected directly with soil or waste pipes shall have a solid brass floor plate not less than three-sixteenths ($\frac{3}{16}$) of an inch thick, soldered to the lead bend or pipe, and screwed to the floor where joints are of wood, and where brass or iron is used, screwed to the same, and bolted to the trap flange. Joints shall be made gas tight with an asbestos graphite ring, asbestos string gasket, washer, red or white lead, or a perfect screw joint.

In wooden joist construction the connection between the earthenware and soil pipe shall have at least two (2) inches of lead pipe between the wiped joint and the under side of the floor.

Sec. 42. **Increasesers and Reducers.** Where different sizes of pipe or pipes and fittings are to be connected, proper size increasers or reducers, pitched to an angle of forty-five (45) degrees between the two (2) sizes, shall be used.

Sec. 43. **Prohibited Joints.** Any fitting or connection which has an enlargement, chamber or recess with a ledge, shoulder or reduction of the pipe area in the direction of the flow on the outlet or drain side of the pipe, is prohibited.

Sec. 44. **Expansion Bolts.** Connections or hangers, pipe supports or fixture settings with masonry or stone backing shall be made with expansion bolts without the use of wood plugs.

TITLE VI.

TRAPS AND CLEANOUTS.

Sec. 45. A. **Traps—Where Used.** Each single fixture shall be separately trapped by a water seal trap, placed as close to the fixture as possible. A set of not more than three (3) wash trays or wash stands, or a set of one (1) or two (2) wash trays with sink combined, may be connected with a single trap, provided the trap is placed central and the branches connect into the seal of the trap.

B. **Kind of Traps.** Every trap shall be self-cleaning. No form of trap which depends upon the action of moveable parts for its seal shall be used. No trap which depends upon concealed interior partitions for its seal or which has an interior partition that, in case of defect, would allow the passage of sewer air, shall be used. Traps for bath tubs, basins, sinks or similar fixtures shall be made of lead, brass, galvanized iron, or of iron porcelain enameled inside. Galvanized or porcelain enameled iron traps shall be extra heavy full bore, and have a smooth interior water-way and threads tapped out of solid metal. Iron drum traps shall be made of extra heavy cast or malleable iron, galvanized or porcelain enameled on the inside and the drum shall not exceed four (4) inches in diameter. Drum traps shall have a water seal of not more than seven (7) inches and not less than two (2) inches. Every drum trap shall be so installed that the water seal will protect the trap screw from sewer air.

C. **Water Seal.** Each trap shall have an interior water seal of not less than two (2) inches.

D. **Cleanouts and Vent Connections.** Each trap, except those in combination with fixtures where the trap seal is plainly visible and accessible, shall be provided with a brass trap screw. Traps placed between the floors shall have a brass trap screw for cleaning, in plain view or flush with the floor, or readily accessible from or under the floor.

E. **Trap Levels and Protection.** All traps shall be rigidly supported and set true with respect to their water level, and shall be so located as to protect their seals.

F. **Traps Prohibited on Drains.** There shall be no trap at the foot of soil or waste pipe stacks upon the house drain or house sewer except where such drain or sewer is used exclusively for conducting rain water or surface water to a house drain or house sewer, excepting a main house trap will be permitted on the house drain, provided a vent pipe is taken from both sides of the trap, the same size as the house drain, and carried separately to and through the roof, and located as for roof outlets.

G. Other Waste Fixtures to Water Closet Trap Prohibited. In no case shall the waste from a bath tub or other fixture be connected with a water closet trap.

H. Overflow Connections. Overflow pipes from fixtures shall in each case be connected on the inlet side of the trap.

I. Cellar Drains. Cellar drains will be permitted only when they connect to a trap with a permanent water seal.

Sec. 46. A. Cleanouts—Size. Cleanouts shall be the same size as the pipe up to four (4) inches in diameter and not less than four (4) inches for larger pipes or traps.

B. Where Required. Cleanouts shall be provided as follows: At the foot of all vertical lines of soil pipe and at the end of each horizontal line. The distance between the cleanouts shall not exceed fifty (50) feet. There shall be at least two (2) four (4) inch cleanouts provided in the house drain; one (1) made with a full size Y-branch just inside the wall near the house drain and the house sewer connection, and the second near the end of the house or at the base of the soil or waste stack. Intermediate cleanouts may be made with T's. Any vertical soil, waste or vent pipe having an opening readily accessible from the roof and without change of direction in its entire length, shall not be required to be provided with a cleanout other than at its base.

C. Manhole. All underground traps and cleanouts inside of a building, except where the cleanout traps are flush with the cellar floor, shall be made accessible by manholes with proper metallic covers and all exterior underground traps with inaccessible cleanouts shall also be placed in manholes.

D. Location. All traps and cleanouts shall be located so as to be easily accessible for cleaning.

TITLE VII.

GENERAL REGULATIONS.

Sec. 47. Grade of Horizontal Pipes. All horizontal piping shall be run in practical alignment and at a uniform grade of one-half ($\frac{1}{2}$) inch per foot where possible, but in no case shall the grade be less than one-quarter ($\frac{1}{4}$) of an inch to one (1) foot for the soil or waste pipes and house drains, suspended by iron hangers upon pins or posts or wall ledges, and not less than one-eighth ($\frac{1}{8}$) of an inch per foot for vent or ventilating pipes, house sewers and underground drains.

Sec. 48. Change of Direction. All drainage and plumbing pipes shall be rigidly secured or supported to keep their alignment or grade, and all changes of direction, either horizontal or vertical, shall be made with the appropriate use of Y's, half Y's, sanitary TY's, long sweep quarters, sixth, eighth or sixteenth bends, with short nipples where screw joints are used. Increase or reduction in size shall be made by the use of proper fittings. Every vertical line of soil or waste pipe shall have no less than eighteen (18) inches of iron pipe run horizontally at its base.

Sec. 49. Prohibited Fittings. No double hub, double T, or sanitary T-branch shall be used on horizontal runs, nor shall double hubs or straight crosses be used on a soil or waste pipe. Saddle hubs and bands are in all cases prohibited.

Sec. 50. Offsets in the Mains. Offsets in the mains of all stacks shall be avoided if possible (except as prescribed under title XI., Section 84), but when

unavoidable they shall, if possible, be made with forty-five (45) degree fittings.

Sec. 51. Dead Ends. In the installation of any plumbing system, all dead ends in pipes shall be avoided.

Sec. 52. Drainage Excavation. All excavation required to be made for the installation of a house drainage system, or any part thereof, within the walls of a building, shall be open trench work. All such trenches shall be kept open until the piping has been inspected and approved.

Sec. 53. Relieving Arches. Where pipes pass under walls the same shall be placed under openings, and in all cases where pipes pass through or under walls they shall be provided with a relieving arch or lintel.

Sec. 54. Stack Supports. All free standing stacks shall be thoroughly supported on concrete or masonry piers at their base, and those forty (40) feet or more in height shall be provided with foot rests at their base and also with floor rests or supports at every ten (10) foot interval. The pipe supports, according to their location, shall be either with heavy iron posts, hangers, wall brackets or steel fittings, concrete or masonry piers; provided that no brick piers be less than eight (8) inches square. The use of pipe hooks shall be prohibited for larger than one and one-half ($1\frac{1}{2}$) inch pipes.

TITLE VIII.

HOUSE SEWERAGE AND DRAINS.

Sec. 55. Independent Systems. The drainage and plumbing system of each new building or new work installed in an existing building shall be entirely separate and independent of that of any other building, except as provided in Section 56; and wherever available, every building shall have an independent connection with a public or private sewer.

Sec. 56. Exceptions Permissible. Where one building stands in the rear of another on an interior lot, and no private sewer is available, or can be made for the rear building through an adjoining alley, court or driveway, the house drain from the front building may be extended to the rear building and the whole be considered as one house drain.

Sec. 57. Connections With Cesspools. When a sewer is not available, drain pipes from buildings may be connected with cesspools or receiving vaults as prescribed in Section 9, Ordinance 149, Sanitary and Health Code; provided, however, that no water closet shall be connected with a leaching cesspool.

Sec. 58. Old House Sewers and Drains. Old house sewers and drains may be used in connection with new buildings or new buildings only when they are found, on examination and test, to conform in all respects to the requirements governing new sewers or drains, as prescribed in this code. If the old work is found to be defective, the Inspector shall notify the owner to make the necessary changes to conform with this code.

Sec. 59. House Drains Under Ground.—All house drains shall, whenever possible, be brought into the building under ground, below the level of the basement or cellar floor.

Sec. 60. Kind of Pipe. All house drains shall be of extra heavy cast iron pipe, with well leaded and calked joints, or where house drain is laid underground, it may be of salt-glazed terra cotta pipes, with joints well cemented.

Sec. 61. Drains to Curb. When there is no sewer accessible, the drainage of surface inlets and rain water conductors shall be drained separately to

the curb line where practicable by drain pipes not less than four (4) inches in diameter, and discharge into the public gutter, unless otherwise permitted by the proper authority.

Sec. 62. House Sewer. The drain containing the house sewer, beginning three (3) to five (5) feet outside the building wall, shall consist of cast iron pipe (see Title 3, Section 22), or of earthenware pipe one (1) size larger only when sanctioned by special permit from the Inspector. They shall not be laid closer than three (3) feet to any external wall, cellar, well, basement or cistern, or less than two (2) feet deep (except by special permit). Change in direction shall be made by long curves, one-eighth ($\frac{1}{8}$) bends or Y's.

TITLE IX.

YARD, SUBSOIL AND OTHER DRAINS.

Sec. 63. Drainage of Yards and Areas. When yards and area drains are connected with the house drains each shall be effectively trapped; or, the various drains from the yards and areas may be connected together and controlled by a single trap. Traps shall be installed for drains which connect directly with a sewer intended to carry surface water.

Sec. 64. Earthenware Yard Drains. Barn, stable and yard drains may be of earthenware and all such drains connecting with a sewer shall be trapped. No earthenware yard drain, or drains from kitchen sinks shall be less than four (4) inches. Overflow pipes from cisterns shall not connect with any house drain.

Sec. 65. Subsoil Drains. Where subsoil drains are placed under the cellar floor or used to encircle the outer wall of a building, the same shall be made of open-jointed four (4) inch drain tile. Open-jointed drain tile shall be properly trapped before entering the house drain.

Sec. 66. Back Pressure Valves. Where a floor or open-jointed drain tile is connected to a house sewer or drain, each floor wash or connection shall be protected from back pressure by a gate or back pressure valve.

Sec. 67. Exhaust, Blowoff and Drip Pipe Connections. The exhaust, blowoff, sediment or drip pipe from a steam boiler shall not connect directly with any sewer, drain, soil or waste pipe. Such pipes shall discharge into the top and above the line of discharge of a suitable closed tank or condenser made of wrought or cast iron, provided with a relief pipe, of at least three (3) inches in diameter extending to the outer air above the roof. The waste from said tank or condenser shall be taken from the bottom and shall be at least one (1) size larger than the inlet, but not less than three (3) inches in diameter, and provided with a trap that has a seal of not less than twenty-four (24) inches, and wherever possible shall connect to the house sewer and not to the house drain.

Sec. 68. Hot Water Discharge Prohibited. Water heated to over one hundred and forty (140) degrees Fahrenheit shall not be allowed to enter any street sewer, drain or lateral. When blow-off tanks discharge water at a higher temperature they shall be provided with a cooling device.

Sec. 69. Elevator Connections. All direct connected hydraulic elevators, lift or pressure machines shall be provided with an intermediate tank of sufficient capacity so as to discharge its water without pressure into any sewer, drain, soil or waste pipe. Such tanks shall be trapped and where there is danger of back pressure from the sewer there shall be placed on its outlet side a sewer or back water valve.

TITLE X.**ROOF CONDUCTORS AND LEADERS.**

Sec. 70. **Conductors Not to Connect.** The metallic conductors or roof leaders or down-spout wastes, and the surface and ground water drains, wherever possible, shall be connected with the sewer, but they shall not be connected to house sewers which discharge into sanitary sewers intended for carriage of sewage only.

Sec. 71. **Inside Conductors and Roof Leaders.** When placed within the wall of any building or run in an inner court, or ventilating or pipe shaft, all conductors and roof leaders shall be constructed as prescribed for soil pipe.

Sec. 72. **Connections With Conductors Prohibited.** Conductor pipes shall not be used as soil, waste or vent pipes, nor shall any soil, waste or vent pipes be used as conductors.

Sec. 73. **Defective Conductor Pipes.** When any existing sheet metal conductor pipe within the walls of any building becomes defective, such conductor shall be replaced by one which conforms with this code.

Sec. 74. **Outside Conductors.** When outside conductors or down-spouts of sheet metal are connected with the house drain, they shall be connected by the use of not less than one (1) length of extra heavy cast iron pipe extending vertically at least four (4) feet above the grade line.

TITLE XI.**SOIL, WASTE AND VENT PIPES.**

Sec. 75. **Material Used.** All main and branch soil, waste, and vent and back vent pipes shall be of iron, lead, brass or copper; except, in wooden floor construction with ceiling underneath, only lead waste pipe shall be used.

Sec. 76. **Soil and Waste Pipe Stacks.** Every building in which water closets are installed shall have at least one four (4) inch soil pipe stack extending through the roof. A three (3) inch soil stack may be used for the reception of waste from water closet and three (3) small fixtures or one (1) water closet and slop sink, or two (2) water closets, provided that there is one four (4) inch stack in the building and no part of the building in which the stack is placed shall be more than three (3) stories in height.

Sec. 77. **Roof Extensions.** All soil and waste pipes receiving the discharge of any fixture shall be extended the full caliber at least two (2) feet above the roof and at least five (5) feet when such roof is used for other purposes than weather covering the building. In no case shall the vent pipe through the roof be less than four (4) inches in diameter. Change in diameter shall be made by long increaser, and at least one (1) foot below the roof.

Sec. 78. **Roof Joints.** The joints at the roof shall be made water tight by the use of proper sheet copper or lead plate, with a sleeve not less than twelve (12) inches long made to fit the pipe tightly. Plate shall not be less than one (1) foot, six (6) inches square.

Sec. 79. **Terminals.** The roof terminals of all vent pipes shall be at least three (3) feet above any door, window, scuttle or air shaft when located at distances less than twelve (12) feet from any such terminal.

Sec. 80. **Terminals Adjoining High Buildings.** No soil, waste or vent pipe extension of any new or existing building shall be run or placed on the

outside of a wall, but shall be carried up in the inside to the roof. In the event that a new building is built higher than an existing building, the owner of the new building shall not locate windows within twelve (12) feet of any existing vent stack on the lower building, unless the owner of such new building shall defray the expense of, or shall himself make such alterations to conform with Section 79 of this title. It shall be the duty of the owner of the lower or existing building to make such alterations therein upon the receipt in advance of money or security therefor, sufficient for the purpose, from the owner of the new or higher building, or to permit at the election of the owner of the new or higher building, the making of such alterations by the owner of the said new or higher building.

Sec. 81. Prohibited Connections. In no case shall any fixture connection except water closets, pedestal urinal or trap standard slop sink be made to a lead bend. No vent pipes shall be used as a waste or soil pipe.

Sec. 82. Branch Soil and Waste Extensions. Any vertical branch rising more than ten (10) feet, or any lateral branch running more than twenty-five (25) feet from the main house drain, shall be continued full size to a point above the roof, or may be returned to the main, soil, or waste vent pipe and full size.

Sec. 83. Vents—Length from Trap. For the purpose of obtaining a direct rising vent from a vertical waste line a fixture trap immediately under a small fixture waste shall be placed not more than twenty-four (24) inches from the vertical waste and vent line, measured between the center of the waste outlet of the fixture and the center of the waste and vent, provided that the point of entry into the vertical waste line is not lower than the bend of the trap. For water closets, pedestal urinals, and trap standard slop sinks the distance allowed between the waste opening in the floor or wall and vent or back shall not be more than twenty-four (24) inches developed length.

Sec. 84. Main Vents. All main vents shall be run undiminished and connected full size at their base to the main waste or soil pipe at or below the lowest fixture branch and shall be extended above the roof. They may be connected with the adjoining soil or waste vent pipe three (3) feet above the highest fixture opening, but this will not be permitted where there are fixtures on more than six (6) floors unless the size of the pipe be increased in diameter to the combined area of the main, soil and waste vents to be served.

Sec. 85. Circuit, Loop and Continuous Vents. Every branch soil or waste pipe to which a group of two (2) and not more than eight (8) water closets, pedestal urinals or trap standard slop sinks are connected may be vented by a circuit or loop vent, provided that such horizontal branch does not exceed twenty-five (25) feet in length, and the fixtures are within the prescribed twenty-four (24) inch limit from the branch forming the circuit vent. Connections from such branch shall be taken from Y or TY branches. The vent shall be taken off in front of the last fixture connection, and must rise at an angle of forty-five (45) degrees to vertical to a point six (6) inches above the top of the highest fixture before offsetting horizontally or connecting to the branch, main, waste or soil vent. Where fixtures discharge above such branch, each branch shall be provided with a relief vent one-half ($\frac{1}{2}$) the diameter of the soil or waste stack taken off in front of the first fixture connection and rise at an angle of forty-five (45) degrees to vertical to a point six (6) inches above the top of the highest fixture before being offset horizontally or connecting to the branch, main, waste or soil vent. The main soil or waste stack shall be offset at every fourth story containing fixtures, immediately below the branch, main, soil or waste connection. The soil and waste pipes shall conform to the sizes prescribed under Title 3, Section 22. The main vent pipes shall conform to, and the branch vent pipes

shall be one (1) full size larger than the sizes prescribed under Title 3, Section 24.

Sec. 86. Branch and Vent Connection. All branch and back vent pipes shall be free from drops and sags and be so graded and connected as to drip back to the soil or waste pipe by gravity. On horizontal runs such connections shall be taken off above the center lines as near the crown as possible and rise above such crowns before being offset horizontally. Horizontal vents below waste lines of the fixture to be served shall be offset to vertical at the nearest partition and the vertical run shall not be connected less than six (6) inches above said fixture.

Sec. 87. Common Vents for Fixtures. Where bath rooms, water closets or other fixtures are located on opposite sides of a wall or partition, or are directly adjacent to each other in an inseparable dwelling, such fixtures may have a common soil or waste pipe and vent pipe stack.

Sec. 88. Traps Back Vented. Every fixture trap shall be protected from syphonage and back pressure and air circulation assured by means of a vent or back vent pipe.

Sec. 89. Back Venting Water Closets. No earthenware fixture with trap combined shall be provided with a back vent horn. Every water closet, pedestal urinal and slop sink having floor connection, shall be back vented from the soil or waste branch and preferably on the top of the branch. When connected with a vertical arm of a bend it shall be made above the top of the horizontal branch.

Sec. 90. Back Vents Not Required. A. Where two (2) water closets located on the same floor, discharge into a double sanitary T or TY, in a soil or waste pipe stack they need not be back vented if such fixtures do not exceed the three (3) foot limit without other fixtures above them.

B. When two (2) fixtures other than water closets discharge into a double sanitary T or TY, and there are no other fixtures discharging above them, said fixtures may be back vented through a common vent or back vent pipe.

C. No back vents shall be required on a back water trap or sub-soil catch basin trap.

D. The waste from a bath tub, basin or sink may be connected to a Y or TY fitting between the closet bend and the stack without reventing the closet bend, providing there are no other fixtures discharging above.

E. Cellar floor drains connecting to the house drain in front of a soil or waste stack and provided with a trap that has a water seal of not less than three (3) inches, or discharges into the inlet side of a down-spout trap, need not be back vented.

Sec. 91. Location of Fixtures. No trapped plumbing fixtures shall be located in any room or apartment that does not contain a window placed in an external wall of the building or is not provided with a system of ventilation. Compartments containing not more than four (4) water closets or their equivalent shall be located in an apartment containing windows placed in the external wall of the building or shall be provided with a mechanical system of ventilation which will change the air at normal temperature at least six (6) times per hour. Compartments containing more than four (4) water closets or the equivalent shall be located either in a compartment containing windows and provided with a gravity or mechanical system of ventilation which will change the air at normal temperature not less than six (6) times per hour, or may be placed in a compartment without windows in the external wall of the building, providing a mechanical system of ventilation is installed which will change the air at normal temperature not less than six (6) times per hour. Ventilation from toilet rooms shall be separate and distinct and have no connection whatever with the other ventilating ducts in the building.

TITLE XII.**REFRIGERATOR, SAFE AND SPECIAL WASTES.**

Sec. 92. **Refrigerator, Safe and Special Wastes.** No plumbing fixtures except a bar sink, dental or fountain cuspidor, soda fountain, or drinking fountain shall be installed with an indirect waste connection to the plumbing and drainage system. The waste of every bar sink, dental or fountain cuspidor, soda fountain, and drinking fountain, if not directly connected, shall discharge over a properly water-supplied, trapped and vented sink, or may discharge into a cellar floor drain. The size of the waste pipe shall conform to the table in Title 3, Section 22. Each fixture opening shall be separately trapped. No back vents shall be required, but when fixtures have a common waste pipe and are not located on or above the second floor, the waste pipe shall be extended through the roof. Floor drains, safe, safe refrigerator, and ice box waste pipes shall be installed with an indirect connection to the plumbing and drainage system. They shall discharge over a properly water-supplied trap and vented sink, publicly placed, and not more than four (4) feet above the floor, or may discharge into a cellar floor drain. In no case shall any refrigerator or safe waste pipe discharge over a sink located in a room used for living purposes. Each fixture opening shall be separately trapped. In apartments, flats, lodging and tenement houses where the refrigerator waste extends through more than two (2) stories, the waste line shall extend through the roof. The branches or vertical lines shall be made by Y or TY fittings and cleanouts provided to control the horizontal part of the waste pipe.

Sec. 93. **Overflow Pipes.** The overflow pipes from a water supply tank shall not be directly connected with any drain, soil or waste pipe. Such pipe shall discharge upon the roof or be trapped into an open fixture and discharge.

Sec. 94. **Urinal Safes.** Urinal platforms and safes shall not be directly connected with any drain, soil or waste pipe, except when used in combination with a urinal floor gutter. The outlet of such gutter shall be provided with a brass strainer with arrangements for flushing the same while in use. If such safe waste also serves as a floor waste outlet the trap shall be at least three (3) inches in diameter.

Sec. 95. **Kitchen Wastes.** Kitchen or other greasy wastes from hotels, restaurants, club houses, public institutions or other establishments in which much cooking is done or other greasy wastes obtained, shall be intercepted by a catch basin or grease trap, and then connected to the house sewer.

Sec. 96. **Stable and Garage Wastes.** All liquid wastes from barns, stables, garages, manure pits and stable yards shall be intercepted before entering the sewer by a suitable catch basin, properly trapped. Said catch basin shall be provided with a vent not less than four (4) inches continued through the roof.

TITLE XIII.**FIXTURES.**

Sec. 97. **Materials.** All receptacles used for water closets, urinals or otherwise for the disposal of human excreta, shall be either vitrified earthenware, hard natural stone or cast iron white porcelain enameled on inside. If cast iron is used, it shall be enameled or painted on the outside with at least three (3) coats of non-absorbent and non-corrosive paint.

Sec. 98. **Water Closet Bowls.** The bowls and traps for water closets shall be made in one (1) piece and of such shape and form as to hold a sufficient quantity of water when filled up to the trap overflow so as to completely submerge any matter deposited in them and properly flush and scour the soil pipe when the contents of the bowl are discharged.

Sec. 99. **Visible Trap Seal.** All water closets, pedestal urinals and slop sinks with trap combined, shall have visible trap seals.

Sec. 100. **Flushing Rims.** All water closets or pedestal urinals shall be provided with flushing rims, constructed so as to flush the entire interior surface of the bowl thereof with water as prescribed in a subsequent section of this title.

Sec. 101. **Open Plumbing.** All plumbing fixtures shall be installed or set free and open from all enclosing woodwork.

All pipes from fixtures shall be run to the wall. This does not include water closets, pedestal urinals, or trap standard slop sinks.

Sec. 102. **Low-Down Closets.** Water closets with low-down tanks shall be of syphon pattern, provided with refilling devices.

Sec. 103. **Water Closets Prohibited.** Pan, valve, plunger, offset, wash-out, and other water closets having invisible seals or an unventilated space, or the walls of which are not thoroughly washed at each discharge are prohibited. Long hopper water closets and similar appliances shall not hereafter be installed, except as provided in Section 107. The provisions of this section shall also apply to the dry closets system or other system of closets in which the venting, back venting or local venting is to be otherwise than in this code prescribed.

Sec. 104. **Urinals.** All urinals, troughs or gutters other than those heretofore prescribed, shall be constructed of materials impervious to moisture and that will not corrode under the action of urine. When floor gutters are used as urinals the gutters shall be made with Portland cement or other impervious material and the floor and the walls within five (5) feet of such gutters shall be made equally watertight and impervious.

Sec. 105. **Wooden Traps and Sinks.** Fixed wooden wash trays or sinks are prohibited in any building or parts of buildings designed or used or to be used for human habitation.

Sec. 106. **Bath Tubs.** No new copper lined wooden bath tubs shall be installed, nor shall any old fixture of this class be reconnected. Any defective bath tub condemned by the Inspector shall be removed.

Sec. 107. **Frost Proof Closets, Where Permissible.** Frost-proof closets may be installed in compartments which have no direct connection with any building used for human habitation or occupancy. The soil pipes between the hopper and the trap shall not be less than four (4) inches in diameter, and shall be either lead or cast iron.

Sec. 108. **Water Supply to Fixtures.** All water closets, urinals and other plumbing fixtures shall be provided with a sufficient supply of water for flushing, to keep them in proper and sanitary condition.

Sec. 109. **Water Closet Supply.** No water closet bowl or urinal shall be supplied directly from the water supply pipes, excepting anti-freezing closets, or by an improved flushometer valve. Every water closet or urinal bowl shall be indirectly flushed through a flushing tank of at least four (4) gallons capacity for each water closet and two (2) gallons for each urinal. The tank shall be properly supplied with water and the flush pipe to the water closet or urinal shall

be at least one and one-quarter ($1\frac{1}{4}$) inches in diameter, except for outside hoppers and urinals.

Sec. 110. Flushing Tanks; Groups of Fixtures. A group of urinals, on the same floor, subject to constant use as in schools and factories, may be supplied from one (1) tank, if provided with an automatic simultaneous flush, provided that each individual urinal shall receive not less than one (1) gallon of water at each flushing and the discharge is of such force as to cleanse such individual bowl at each flush.

Sec. 111. Automatic Flushing Tanks. All urinals having either intermittent or automatic flushing devices shall be flushed at regular intervals not to exceed (10) minutes during the hours that such fixtures are in use. The backs of gutter stalls to the height of three and one-half ($3\frac{1}{2}$) feet shall be kept constantly moist with a proportionate supply of water while in use.

Sec. 112. Urinal Troughs and Gutters. Urinal troughs and gutters shall be flushed either by an automatic flushing tank the same as required for individual urinal, or may be flushed by a direct water supply through a brass pipe carried the full length of the trough, perforated every two (2) inches.

Sec. 113. Flushing Tanks. All valves of flushing tanks shall be so fitted and adjusted as to prevent the waste of water. The water from flushing tanks shall be used for no other purposes.

TITLE XIV.

Tests.

Sec. 114. Nature of Tests. All piping of a drainage or plumbing system shall be given two (2) tests by the plumber in charge; first, the roughing-in with water, smoke or air test; second and final, with smoke in the presence of the Inspector.

Sec. 115. Material and Order of Tests. The material and labor for the tests shall be furnished by the plumber. The tests shall be made in the following order: First, the house drain; second, the soil and waste vents and all vertical piping; third, the final on the whole system. The first and second tests may be combined.

Sec. 116. House Drain. The house drain shall be tested with water, air or smoke test. The water test shall have a ten (10) foot head of water, and the smoke and air test a five (5) pound pressure. All alterations, repairs or extensions which shall include more than ten (10) feet, shall be inspected and tested.

Sec. 117. Stable, Garage and Yard Drains. For a stable, garage or any part of a stable the same tests and inspection of the plumbing and drainage system thereof shall be made as in the case of an ordinary dwelling.

Sec. 118. Conductor Pipes. Conductor pipes and their roof connections within the walls of buildings, or conductor branches on the outside system where such branches connect with the house drain or are less than three (3) feet from the wall of the building shall be tested by the water test. Conductor branches on the outside system may be tested with the house drain as in Section 116.

Sec. 119. Covering of Work. No part of any plumbing or drainage system shall be covered until it has been inspected, tested and approved.

Sec. 120. Fixtures—Final Tests. When a plumbing or drainage system is completed and the water is turned on and the traps filled, it shall be inspected

and tested. When the location or style of any fixture is changed it shall be inspected.

Sec. 121. Water and Air Test. Soil, waste, vent and inside conductor pipe stacks, and all known as "rough" work between the house drain connections to points above the finished floors and beyond the finished face of walls and partitions, shall be tested with the water, air or smoke test when the whole stack is completed and topped out above the roof. The water test shall be applied by closing the opening at the outlet end of the house drain and all openings in the piping with proper testing plugs to the highest opening above the roof, and completely filling the system with water; the water column to be left standing at least fifteen (15) minutes. If the water level remains constant such time the system shall have been acceptably tested. When water is not available or when there is danger of freezing, the air or smoke test shall be used with a pressure of five (5) pounds, using an open mercury gauge with ten (10) inches of mercury.

Sec. 122. Smoke Test. The drainage systems of all new buildings and all new soil, waste or vent stacks hereafter installed in existing buildings shall be given their final test with smoke. The smoke machine shall be connected to any suitable opening or outlet in the system, and when the system is completely filled with dense and pungent smoke, and the openings emit smoke they shall be closed and an air pressure equivalent to one (1) inch water column shall be applied and left standing ten (10) minutes. If there is no leakage or forcing of trap seals, the system shall be deemed air or gas tight. But nothing in this section shall be so construed as to prevent the removal of any cleanout, or unsealing of traps to ascertain if the smoke has reached all parts of the system.

Sec. 123. Smoke Test Imperative. The smoke test shall be used in testing the sanitary conditions of the drainage or plumbing system of all buildings, where there is reason to believe that the plumbing system has become dangerous or defective on account of settling of the buildings, or by abuse, accident or other cause.

Sec. 124. Defective Work. If tests show defects, the defective work or material shall be removed within three (3) days and the test again applied. In all cases the Inspector shall designate the points at which the pressure shall be relieved or drawn off.

Sec. 125. Repairs. Tests shall not be required after repairing or replacing any old fixture, faucet or valve by a new one, to be used for the same purpose; forcing out stoppage, repairing leaks, or relieving frozen pipes or fittings; but such repairs or alterations shall not be construed to include cases where new vertical or horizontal lines of soil, waste, vent or interior leaders or conductor pipes are used or their relative locations changed; provided, that, in the building condemned by the Inspector because of the insanitary condition of the house drainage or plumbing, no such drainage or plumbing shall be considered as coming under the head of repairs, but all such house drainage or plumbing shall be installed as provided for in new buildings.

Sec. 126. Tests Not Required. No tests or inspections shall be required where a house drainage and plumbing system or part thereof is set up for exhibition purposes, nor shall the final test be required where the plumbing is placed in an outhouse, stable or detached building used exclusively for that purpose.

TITLE XV.

CATCH BASINS.

Sec. 127. **Yard Catch Basins.** Yard catch basins which receive surface drainage or the discharge from hydrants or waste pipes shall not be less than twelve (12) inches in diameter and have not less than a four (4) inch trapped outlet for cleaning, placed below the frost line. Where the inlet is liable to injury, the same shall be provided with a heavy cast iron frame and strainer set flush with the grade.

Sec. 128. **Sub-Soil Catch Basins.** Sub-soil catch basins, located where the water fluctuation is such that a constant water seal on the trap outlet is not maintained shall be located outside the walls of the building, provided with a ball cock attached to the water supply pipe for the maintenance of such seal. The trapped outlet for such catch basin shall be formed by turning a four (4) inch bend or invert down into the water of the basin to within six (6) inches of the bottom.

Sec. 129. **Kitchen Catch Basins.** Catch basins for receiving kitchen wastes, shall be constructed water-tight, either of brick, concrete, tile or cast iron. If of brick, tile or concrete they shall be at least twenty (20) inches internal diameter, and be finished with a stone or iron cover.

Sec. 130. **Kitchen Catch Basins, Inverts and Traps.** The bottom of the catch basins shall be at least two (2) feet below the four (4) inch invert of the outlet to the sewer. The outlet shall be trapped to a depth of twelve (12) inches below the invert of the outlet to the sewer to prevent the escape of grease, by a hood or trap of brick and cement mortar or a hood of concrete or cast iron. The invert of the inlet to the catch basin for kitchen wastes, shall not be less than two and one-half (2½) feet above the finished bottom of the catch basin.

TITLE XVI.

SUMPS AND EJECTORS.

Sec. 131. **Drainage Below Sewer Levels.** In all buildings in which the whole or part of the house drainage and plumbing system thereof lies below the crown level of the main sewer, sewerage or house wastes shall be lifted by artificial means and discharged into the house sewer.

Sec. 132. **Sumps and Receiving Tanks.** All sub-house drains shall discharge into a perfectly air-tight sump or receiving tank so located as to receive the sewage by gravity, from which sump or receiving tank the sewage shall be lifted and discharged into the house sewer by pumps, ejectors, or any equally efficient method. Such sumps shall be either automatically discharged or be of sufficient capacity to receive the house sewerage and wastes for not less than twenty-four (24) hours.

Sec. 133. **Ejectors Vented.** The soil or waste pipe leading to an ejector or other appliance for raising sewage or other waste matter to the street sewer shall, where a water closet or closets are installed, be provided with a soil or vent pipe not less than four (4) inches in diameter and where fixtures other than water closets are installed the vent pipe shall be the same diameter as the waste pipe.

Sec. 134. **Motors, Compressors, Etc.** All motors, air compressors and air tanks shall be located where they are open for inspection and repair at all times. The air tanks shall be so proportioned as to be of equal cubical capacity as the ejectors connected therewith, in which there shall be maintained an air pressure of not less than two (2) pounds for each foot of height the sewage is to be raised.

Sec. 135. **Ejectors for Sub-Soil Drainage.** When sub-soil catch basins are installed below the sewer level automatic water ejectors provided with a ball float attached to the main water supply shall be used. Such ejectors or any device raising sub-soil water shall discharge into a properly trapped fixture.

Sec. 136. **Penalties.** Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be punished by a fine of not less than ten (\$10.00) dollars nor more than one hundred (\$100.00) dollars or by imprisonment in the City Jail for not less than one (1) nor more than thirty (30) days or by both such fine and imprisonment for each offense.

Sec. 137. This ordinance shall take effect when signed, recorded and published, as required by law.

Passed, Board of Commissioners, March 31, 1915.

Attest:

J. E. CASSIDY,

JAS. J. O'BRIEN, City Clerk.

Mayor.

CIRCUMFERENCE AND AREAS OF CIRCLES.

Diameter	From $\frac{1}{4}$ to 12.	
	Circumference.	Area.
$1\frac{1}{4}$ inch	3.9260	1.2272
$1\frac{1}{2}$ "	4.7124	1.7671
2 "	6.2832	3.1416
$2\frac{1}{2}$ "	7.8540	4.9087
3 "	9.4248	7.0686
$3\frac{1}{2}$ "	10.9956	9.6211
4 "	12.5664	12.5664
5 "	15.7080	19.6350
6 "	18.8496	28.2744
7 "	21.9912	38.4846
8 "	25.1328	50.2656
9 "	28.2744	63.6174
10 "	31.4160	78.540
11 "	34.5576	95.033
12 "	37.6992	113.098

INDEX TO ORDINANCES OF THE CITY OF LEXINGTON

GENERAL CLASSIFICATION.

	Page
Accounts	3
Board of Health	5
Buildings	28
Coffee Houses	60
Dogs	42
Electric Wires	44
Ice—Weighing of	45
Licenses	46
Market House and Market Master	67
Offenses and Punishments	70
Officers and Employees	86
Railroads	105
Second-Hand Dealers	108
Sewers	109
Sidewalks	112
Streets	118
Tax Bills	149
Wards of City	150
Appendix	153

INDEX

INDEX

ACCOUNTS—

Sec.

Auditor's duties	9, 10, 11
Depository for city—how money paid for and receipted.....	7
Employees salaries—by whom certified	3
Employees salaries—how made out...	1
Fees collected—Officers to report....	12
Indebtedness to City—first paid.....	9
Monthly pay day.....	4
Printing bills—Clerk to certify.....	2
Park employees—paid weekly.....	13
Rejected claims—statement of.....	5
Receipts—how made and signed.....	6
Receipts by Treasurer—published monthly	8
Special services—Mayor's orders.....	11
Street hands—regulating payment of..	10

BOARD OF HEALTH—*Organization.*

Appointment—general powers and duties	14
Licenses—members exempt from...	10, 14
Meetings and special meetings.....	6, 14
Nuisances—duties as to what kind..	2, 14
What to suppress	14
President—how elected	4, 14
Public Charities Committee.....	3, 14
Secretary—preservation of records.	10, 14
Vital statistics—preservation of...	9a, 14
Health Officer—appointment	5, 14
Powers and duties of	1, 15
<i>Personel—</i>	
Chemist and Bacteriologist.....	2, 15
Inspectors of food—how selected...	4, 15
Physicians, charity—appointment and duties of	5, 15
Report to whom	5e, 15
Salary	5f, 15
Who to direct work of	5h, 15
Sanitary policeman—how selected...	3, 15
Schools—medical inspection of.....	7, 15
Tuberculosis Society—to make re- ports (Sub. sec. 1c-6)	15
Vaccine—who to supply	5c, 15
Vaccine—who to supply (Sub. sec. 5c)	15
Barber Shops—regulating conduct of.	18

Sec.

Cesspools—clean, when—regulating (Sub. sec. 11)	22
<i>Communicable Diseases—</i>	
Animals—how city veterinarian to re- port	14, 24
Books and magazines—when not to circulate	9, 24
Dead bodies—burial of—penalty...	3-4, 24
Disinfected—when premises to be...	10, 24
Examination for—when enforced...	7, 24
Hospitals for—who to control.....	11, 24
Hydrophobia—provisions concern- ing	15, 24
Isolation of persons having.....	10-11, 24
Penalty	16, 24
Placard on front premises—removal.	2, 24
Quarantine—enforcement of	11, 24
Report by physician or mid-wife of infants' eyes	1, 24
School children having —provisions for	8, 24
Smallpox on premises—penalty....	5, 24
Tuberculosis—removal of case.....	13, 24
Vaccination—provisions for	6, 24
Visitors not allowed	6, 24
<i>Food Products—</i>	
Adulterated food, quarantined—de- stroyed—penalty	30
Animals for slaughter—inspected...	32
Building where handled—requirements	28
Cold storage—definition	1, 29
Labeled—goods to be	1, 29
Goods—rules for handling	29
Penalty for violating ord.	5, 29
Contagious diseased person not to work in building	8-28
Definition of food	1-28
Employes handling—rules must fol- low	5 & 6-28
Inspection—duties of Health Officer	9 & 10-28
Penalties for violating ord.....	11-28
Permits to sell—license not a permit.	31
(Amended—see appendix).	

INDEX

	Sec.
Samples for examination—how secured	33
Slaughter houses—inspection of.....	32
Sleeping in room forbidden.....	7-28
<i>Garbage—</i>	
Ashes, bottles, tin cans, etc., where not deposited	2-20
Garbage, filth, dead animals, etc., where forbidden	5-20
Manure to accumulate—forbidden...	3-20
Penalties	6-20
Rubbish—premises to be free from..	4-20
Vessels for holding.....	1-20
<i>Milk and Milk Products—</i>	
Adulterated—not to be sold.....	26
Bacterological count—meaning of words	2-26
Bacterological count—objection—proceedings	10-27
Cans and receptacles—kept clean...	3-27
Not removed where contagious disease	3-27
Cattle—examination and testing of (Sub 6b-c)	27
Certified milk—sale of	5, 26
How examined and judged.....	9, 27
Contagious diseases—regulations ...	5, 27
Reports of when in dairyman's family	8, 27
Among cows—notice of	6i, 27
Cows—how must be kept	6g, 27
Cream and ice cream—meaning of words	3, 26
Dairyman's name posted where milk sold	3, 27
Examinations—copy furnished to whom	9, 27
Milkers—rules must follow.....	6f, 27
Milking—how done	6h, 27
Penalty for violating Sec. 27.....	12, 27
Permit to sell required—how obtained	I, 6, 27
When not given	6d, e, 27
Samples—required to furnish.....	4, 27
How taken	II, 27
Skimmed milk—sale of	4, 26
Vehicles—owner's name on.....	2, 27
Vessels used for milk—kept clean..	7, 27
<i>Nuisances—</i>	
Defined—specific acts—punishment...	16
Engines emitting dense smoke	363

	Sec.
<i>Person—</i>	
Meaning of word in Ch. 2.....	35
<i>Privy Vaults—</i>	
Cleaned and filled for non-use—how.	7, 22
When and by whom	10, 22
How constructed	2, 3, 4, 9, 22
Inspection of	5-22
License tax for—how used.....	10, 22
Night soil—hauling of.....	10, 22
Penalties	14, 22
Record of—kept by Health Officer	10, 22
Sewer—not connected with.....	6, 22
<i>Sewerage—</i>	
From building—how disposed of....	I, 21
Health Officer to notify delinquents..	2, 21
Penalty	3, 21
Sewer defined	12, 22
<i>Stables for Stock—</i>	
Regulating use of—penalty.....	17
<i>Street Cars—</i>	
Cleaned daily—penalty	19
<i>Tuberculosis—</i>	
Instructions to patients furnished...	4, 25
Penalty	8, 25
Premises disinfected after death....	5, 25
Recovery of patient—when released..	7, 25
Reports of—how and by whom made	I, 25
To be kept secret	3, 25
Spread of—who to observe rules to prevent	6, 25
Sputum—examination of	2, 25
Physician, etc., to register and receive copy of law	I, 23
Penalties	2, 23
BUILDINGS—	
Alleys—building material not to obstruct	63
Ashes—receptacles for—how built...	88
Bond—before beginning work on....	37
Buildings in fire limits—kind not allowed	66
Temporary for builder's use.....	67
Prohibited—repairs of when allowed	71
Manner of determining damage to..	72
Building Inspector—who shall be (See also appendix)	51

INDEX

Sec.	Sec.
Duties and qualifications of—assistant	Penalty for failing to number..... 46
Cellars—unlawful acts concerning...289	Penalty for defacing or removing number
Chimneys (see Flues)	47
Conflicting ordinances to No. 515 repealed	Obstructions on streets—lights maintained
100	64
Cornices—provisions concerning	Oil or explosives near stairway or exit not allowed
65	97
Dangerous buildings—torn down....	Outhouses—kind permitted—erection. 69
42	Parapets—specifications for—not used for dwellings
Electric wiring—regulations—inspection of	83
93, 94	Penalty for violating Sections 36 to 40, inclusive
Encroachment on streets—engineer to act	41
38	Penalty for violating Ord. No. 515 ..
Fire escapes—required on new building (see Standpipes).....	99
90	Permits—before erecting or removing
Who to enforce rules as to	36, 56
45	By whom issued and approved.....
Fire plugs, etc.—obstructions 5 feet from	36
63	Unsafe buildings not to issue from. 40
Fire places—regulating	When must be issued
76	57
Fires—inspection to prevent in public building	Applications for—requisites of....
101	57
Fire Chief to investigate—powers and duties of	Plans, etc.—time for approval—reasons for not
43	58
Penalty for interfering with.....	Notice of change of
44	59
Flues—provisions concerning	Printed and distributed—building code to be
73, 74	55
Unsafe to be made safe.....	Roof—kind not allowed
75	70
Gas Heaters—connections of.....	Rubbish, hay or straw (loose) how kept
95	96
Rubber tubing not allowed	Sewer—when must be connected with —Sub 1
95	21
Gasoline—how kept in buildings..389, 391	Sheds—kind permitted—how erected. 68
Hearths—regulating construction ..	57
Inspection—when to be made—notice—duties	Sidewalks—window or step extending over
61	39
Powers and duties of Board—public buildings	Steps leading to cellar or basement on
101	39
Egress in case of fire—as to safety of	Smokestacks—regulating
101	78
Insurance—provisions concerning	Skylights—how and when constructed 89
50	Stables—distance from other improvements—penalty
Kitchen ranges—how placed.....	49
98	Standpipes—buildings required on—construction of
Moving of—application for, required. 91	90
	Steps on sidewalk—regulating—penalty
	62
<i>Moving Picture Shows—</i>	<i>Theaters, Churches and Places of Public Assembly—</i>
Aisles and seats—how provided.....	Aisles, steps, etc., kept clear....
119	104, 113
Exits—how arranged—doors to open outward	Capacity of entrances and exits....
118	106
Exterior walls—kind of material....	Curtain—kind of, arrangement of..
117	111
Fires—arrangement to prevent.....	Doors—how shall open.....
120	109, 111
Other building not connected with....	Emergency exits—how provided....
117	107
Other business in same not allowed..	Fire walls between stage and auditorium
117	110
On ground floor	
117	
Penalties	
122	
Theaters, when must conform to requirements	
121	
Numbering and re-numbering—man-ner of	
46, 48	

INDEX

Sec.

Sec.

Front on street—stage in rear—entrance and exits.....	105
How interior arranged for egress.....	103
Lights—over exits	115
Moving pictures—theater to conform to, when	121
Number of floor tiers allowed.....	108
Penalties	116
Proscenium walls	110, 111
Seats and aisles—regulation of.....	113
Stairways and passages—how provided	108
Windows—how provided	112
Ventilators in attics—construction of. 92	
Walls—kinds and construction of	79, 80, 81
Dwelling occupied by one family... 82	
Supports, not to be of wood..... 84	
Party Walls—already built—how used	85
Openings in, how made..... 86	
Recess for pipes, how made..... 87	
DOGS—	
That bark or disturb peace, forbidden. 358	
A bitch running at large, when forbidden	291
"Dog fund"—money to be put in... 128	
Dogs that bite or attack persons, forbidden	292
Empounding without right—penalty. 125	
Empounded—how redeemed	126
How disposed of if not redeemed. 127	
Enticing from owner to empound, forbidden	129
Hydrophobia, when danger of—Mayor to act	124
License—amount of—tag furnished by clerk	123
Pound keeper to make reports..... 127	
Repealing certain ordinances..... 129B	
Running at large—regulating..... 124	
When to be empounded and by whom	125
Vicious or dangerous, how kept..... 129A	
ELECTRIC WIRING—	
All other wires above trolley wires... 130	
Cross bars for fire alarm wires at poles	135
"Cut-off fuse safety wire" for connections	132
Guard wires—when to be used..... 133	

Penalty	134, 136
Poles—quality and size of.....	131
Before erection of—what to do... 137	
Consent for erection, when to be given	136
ICE—WEIGHING OF—	
Ice—when 5 lbs. or more to be weighed	139
Penalty—amount—on whom imposed. 140	
Scales—wagons to have.....	138
Test of—who to make	138
LICENSES— <i>General Provisions</i> —	
Agents subject to punishment.....	224
Clerk—duties as to	141
Coffee Houses—General law not to apply to	225
Firm or partnership—each member to pay	141
General fund—collections from—part of	223
License year	141
Other trades, etc.—when not to apply to	225
Part of year—how taken out.....	141
Penalties—general	224
Where fine not paid	224
Persons—what word includes.....	141
Posted—license to be—where.....	141
Prosecutions—how instituted	224
Time must be paid	141
Transfer of license.....	141
Treasurer—tax paid to	141
LICENSES— <i>Particular Occupations</i> —	
Advertising agents	182
Architects	177
Athletic Club	5, 222
Attorneys at Law	197
Auction houses	168
Auctioneers	142
Automobiles for hire, not by garage. 203	
(Amended—see appendix)	
Automobiles and garages—penalty without license	204
Barber shops	198
Bill posters	150
Billiard and poolrooms	195
Blacksmiths	8, 222
Bowling alleys	197
Boxing and wrestling bouts	6, 222
Brass knucks and slung shots.....	191

INDEX

	Sec.
Breweries and agents for	166
Brokers, commission	190
Stock	167
Live stock	143
Merchandise (Sub. sec. 19)	222
Candy or fruit stand on street.....	197
Cart or dray	189
Carriage shops	7, 222
Cash registers	2, 222
Chattle loan companies—penalties.	199, 200
Chiropodist	197
Circus or menagerie	193
Cleaning and dying	16, 222
Coal and fuel yards	187
Cobblers	10, 222
Coca cola	165
Collection Agency	4, 222
Dance Halls	144
Dentists	197
Drug stores, retail	178
Electrician	197
Exhibitions indoors	194
Feed stores	171
Fish dealers	197
Fish stands	179
Flying Dutchman	149
Furniture wagons	189
Garages	202
Groceries, retail—wholesale	178
Hotels	153
House agents—real estate	197
House-to-house agents	13, 222
Hucksters	211
No reduction for part year.....	212
No license required—when.....	213
Ice—dealers	151
Insurance companies	196
Investment companies	175
Junk dealers—duties to minors.....	181
Laundries	145
Lightning rods, selling	155
Lime, sand and cement yards.....	187
Live stock brokers	143
Livery stables	154
Lumber yards	170
Lunch stands on wagons	214
Movable—not on sidewalk.....	215
Where allowed—license revoked,	
when	216
Where may stand	217
Push carts vending fruit, etc.....	218
Mail order liquor dealers.....	161
Who are	162, 163

	Sec.
Selling without license—penalty....	164
Masseur	197
Meat stores, retail	173
Wholesale	174
Medicine vendors	221
Merchant, temporary	188
Merchants' liquor license	156
Commissioners to grant	157
Number restricted	157
Amount of fee—how paid.....	158
Druggist not included	159
Messenger service	3, 222
Milk Wagons	189
Night hawks and vehicles for hire...	205
Inspection of certificate and num-	
ber	206, 207, 208
Lamps kept lighted	207
License refused—appeal	208
Standing on street forbidden.....	209
Penalties	210
Night soil—hauling	201
Oil, retail from wagons	184
Wholesale dealers in	192
Omnibus	189
Osteopath	197
Packing house agents	14, 222
Pawn brokers	146
Peddlers	180
Photographers	148
Physicians	197
Pistol	1, 222
Printers	15, 222
Publishers — weekly or monthly	
papers	18, 222
Daily papers	17, 222
Railroad ticket brokers.....	197
Real estate brokers.....	12, 222
Restaurants	197
Second-hand dealers	147
Shoe shiners	11, 222
Shooting gallery	197
Skating rinks	197
Spring wagon	189
Stock brokers	167
Stock yard, public	172
Stores—any kind	178
Street vendors of fruit, etc.....	197
Surgeon	197
Tailor shops	9, 222
Temporary merchant	188
Tenpins or bowling alley	197
Theaters	152
Ticket brokers, theatrical.....	183

INDEX

	Sec.
Trading stamps	169
Transfer wagon	189
Trust, Guaranty Companies, etc.....	176
Vehicles	189
Veterinary surgeon	197
Warehouses, general	186
Grain	185
Tobacco	19, 222
Water or sprinkling cart	189
Wholesale business	178
Wholesale and retail combined	178
Liquor business	160
 LICENSES—<i>Coffee House</i>—	
Affidavit of applicant	233
Bond—conditions of	234
Clerk to issue—when and to whom....	229
Closed by Mayor when riot exists....	254
Unlawful to sell when	255
Penalty	256
Definition of Coffee House	226
Glass in front	238
Hotels excepted	232
Infants and others—unlawful to sell	
to	240
Not to enter	241, 242
Keeper of—who is	227
Licenses required	228
Fee—amount—how paid	235
Fee part of general fund.....	236
Assignment and transferable.....	237
Operating without, penalty	251
A privilege only	252
Music not allowed	244
Number limited	230
Obstructions to view not allowed....	239
Open—when not to keep	245
Parts of city where liquor not to be	
sold	257, 258, 259, 260
Penalty for not separating.....	229
Penalties for violating ordinance....	248
Posting copy of ordinance, where....	247
Protests by abutting property owners.	230
Renewals to owner	231
Repealing other ordinances	253
Revoking license—proceedings for....	249
Revoked license—operating after—	
penalty	250
Separated from other business.....	229
State University—not allowed near....	261
Certain territory near—revoked....	262
Penalty for operating near.....	263
Sunday, closed on	245

	Sec.
Not to enter on	243
Clubs, etc., forbidden.....	246
Time license issued for	235
Transfers—how made	230
Women not to enter—exception.....	241
 MARKET HOUSE AND	
MARKET MASTER—	
Animals or fowls alive in forbidden..	274
Buying before market house opened..	281
Fish, sale of allowed	270
Fowls, alive in, forbidden	274
Inspection of produce	277
License no authority to sell in	272
Liquor, forbidden to have in.....	275
Market master, election, qualification	
and bond	266
Duties	268, 269, 271
Opened at what times	264
Noises—Loud, forbidden in	276
Regrating or forestalling forbidden..	281
Rent—how payable	265
Renters—duties of	283
To vacate, when	273
Renting stalls—manner of.....	267
Rules—who to make—market mas-	
ter's duties	279
Scales used in—tested	278
Sidewalks adjoining—not to sell on.	284
Sleeping in, or loud noise in, forbid-	
den	276
Transfers—written consent required..	282
 OFFENSES AND PUNISHMENTS—	
Animals, cruelty to	295
Diseased, selling flesh of, forbid-	
den	351
Fighting forbidden	318
Kill, maim or poison	296
Leaving to die on street.....	297
Loose, unlawful to sell on street....	299
Abusive and insulting language.....	352
Assessment, failing to list property	
for	334
Ball, playing on street	311
Begging, where forbidden.....	333
Bells, ringing in streets.....	339
To animals or vehicles—exception..	324
Bicycles, not using lantern or gong—	
speed—penalty	287
On sidewalks—forbidden	287
Breach of the peace	315
Breckinridge statue, trespass upon....	305

INDEX

	Sec.
Cards or dice, selling to minor	309
Catch basins, leaving open—penalty.....	288
Throwing what into unlawful.....	349
Cattle, at large or trespassing.....	337
Pound, when confined in	337
Driving on street, regulating.....	381
Cellars, unlawful acts concerning.....	289
Rubbish, etc., in or on premises.....	356
Chicken fights	318
Chickens or fowls, running at large.....	394
City limits stones, disturbing.....	316
Clairvoyants or spiritualists forbid-	
den	382
Advertisement of	383
Coal, unlawful to throw off wagon.....	345
College or school grounds, trespass-	
sing on	326
Concealed deadly weapons	346
Confidence man or thief, where not	
to loiter	333
Deadly weapon, concealed	346
Disorderly houses, forbidden	323
Conduct	290
Disturbing religious worship.....	322
Dogs, harboring those that disturb	
peace and quiet	358
Fights, forbidden	318
When not to run at large	291
That bite, not to keep	292
Doctors, itinerant forbidden to prac-	
tice	338
Drugs, poisonous, regulating sale of.....	375
Drunk, fined for being	313
Drunkard, person becoming habitual.....	314
Druggist, how may sell liquor.....	376
Electric light wire or fixture, interfer-	
ing with	300
Engines, sounding steam whistle,	
359, 360, 361, 362	
Emitting dense smoke	363
When Board of Health to Act.....	364
Explosives, how shall be kept.....	344
False weights	302
Fence or gate, injuring that of an-	
other	350
Fish vendors, acts of forbidden.....	342
Fine not paid, confined in City Jail.....	396
Fire alarm, interfering with.....	348
Firemen, when bystander to assist.....	329
Interfering with	329
Fireworks, discharging in city.....	377
Selling unlawful	378
Fortune telling, forbidden	382

	Sec.
Fruit stands, etc., forbidden on street	
or sidewalk	384
Gas lamp or post, injuring	300
Gasoline, how kept on sidewalk.....	389
How kept in warehouses	391
Glass, wire, tacks, etc., throwing on	
street	385
Groceries, meat stores, etc., closed on	
Sunday	379
Gun or pistol, firing in city.....	301
Gun powder, how kept	344
Hauling hay, straw, etc., through	
streets	343
Hay, straw, etc., permit to fall on	
street	343
Hogs, forbidden to keep in city.....	365
Horse or other animal acts on street	
forbidden	294
Humane Society, police to assist.....	298
Indecent advertising—penalty	286
Exposure of person	293
Actions, words and pictures.....	317
Insulting and abusive language.....	352
Liquor, sale of by druggist.....	376
Loitering or sleeping, where forbid-	
den	333
Manhole, depositing rubbish in.....	374
Material belonging to city—carrying	
away	340
Minor on street, after what time at	
night	366
Duties of parent, etc., as to	367
Police to arrest, when.....	368
Vagrant, duty of Police Judge.....	369
Cards or dice, furnishing to.....	309
In house of ill-fame	310
Sling-shot, using	312
Morphine, opium, etc., regulating	
sale of	375
Noises, making loud in street.....	339
Noisy demonstrations in places of	
amusement	335
Pavement or curbing, injuring.....	388
Peace, breach of by noises	315
Peddler, not to stop on street	332
Penalty—where none other pre-	
scribed	395
Pipes, damaging what, forbidden	321
Pistol, firing in city	301
Poisonous drugs, sale of	375
Police or fireman's badge, wearing	
forbidden	347

INDEX

	Sec.
Police may summon bystander to assist	327
Interfering with	328
Prisoners, credited by 50c per day....	397
Prostitutes, associating with forbidden	333
Public cisterns, offenses concerning..	288
Public property, damaging.....	303
Railroad train in motion, jumping on or off	308
Riding or driving—speed forbidden...	294
Rubbish in cellars, regulating.....	356
Duties of firemen and owners.....	357
Shooting, injuring person by	346
Sidewalk, street or alley, building on..	387
Obstructing by congregating on....	319
Placing horse or vehicle upon.....	392
Bill board or sign on	373
Signal lamps, about unfinished work..	340
Slaughter house, distance from residence	336
Slingshots, minor forbidden to use..	312
Snow—removal from sidewalk.....	386
Spitting on sidewalk or public place..	370
Notice regarding, put up where....	371
Penalty for	372
Stables, distance from street—permits.	353
When a nuisance—removal.....	354
Penalty—who punished	355
Stones, throwing	330
Street cars in motion, on steps forbidden	307
Jumping on or off	308
Streets or sidewalks, permanent business on	384
Obstructing with vehicle, merchandise, etc.	389, 390
Sweepings from stores, not to put on street	341
Telephone poles, nailing signs on....	373
Traction engines, etc., forbidden on certain streets	393
Trees—injuring	350
Trespassing on or damage to private property	304, 306
To public property	303
Upon Breckinridge statue.....	305
In or loafing in certain buildings....	325
Vacant lots, kept clear of weeds, rubbish, etc.	380
Vagrant, who adjudged to be	331
Minor	369
Vegetables, throwing on street for--	

	Sec.
bidden	341
Trees or shrubbery, injuring.....	350
Vehicles, standing on street, forbidden	320
Weeds and rubbish, vacant lots clear of	380
OFFICERS AND EMPLOYEES—	
Board of Commissioners, general powers and duties.....	398, 399
Commissioner of Public Affairs—Mayor to be, powers and duties..	400, 412
Commissioner of Public Finance—powers and duties.....	401, 402
Commissioner of Public Safety.....	404
Commissioner of Public Works.....	405
Commissioner of Public Property	406
Commissioner of each Department—additional powers and duties,	407, 408, 409
Administrative Functions of each Department	401, 411
Assessment by block map.....	425
Assessor's salary	426
Attorney, city—salary after January, 1916	424
Back Tax Assessor.....	423
Block map, change of owner noted on..	429
Bonds of certain employes.....	454
"City Building"—what designated as..	414
Delinquent tax collector.....	431
Depository of city—how fund kept by—bond	427
Checks and warrants on—how drawn	428
Employes, positions created—salaries..	415
Finance Department—extra help....	422
Fire Department—Officers, positions, salaries	464, 473
Classification and grades of firemen	466
Fire Inspector—duties	465
Grading—how done	467, 468
Merit system—rules	469
Promotions	468, 470
Jailer and assistant, control of farm....	432
Assistant's duties	438
Appointment of	439
Feed and clothe prisoners, care for city property	434
Oath and bond required.....	436
Prison and prisoners—charge of....	433
Register, to keep and make reports..	435

INDEX

	Sec.
Successor, what to deliver to.....	437
Work prisoners at city quarry.....	440
Meetings of Commissioners—time and place	413
Meter inspector, appointment and qualifications	441
Application for inspections—fees....	443
Duties and reports	442
Fees—when refunded—new meter....	444
Light accounts of city, to pass on....	446
Voltage, variance allowed—tests....	447
Police Department — officers, positions, salaries	458, 473
Classification and grade of.....	459
Dismissal from service.....	462
Grading—how done	460
Machinist	462
Merit system rules	461
Merits and demerits, what are.....	462
Promotions	463
Police and Detectives—how long to hold office	474
Clerk of—duties	480
Fine—refusal to pay—penalty.....	478
Number of detectives.....	479
Politics not to effect qualifications....	475
Punishment—kinds of	477
Removal, how done	476
Police and Fire Department officers—appointment and dismissals.....	471
Bonds required of	481
Duties, general	472
Pound established—when animal confined in	449
Animal running at large confined in....	337
Keeper of—appointment, bond, duties and fees	451, 452
Unlawful for others to confine in....	453
Printing, official city—price to be paid for	430
Public Library—Trustees appointed for	455
Powers and duties of Trustees.....	456
Additional appointments of Trustees	457
Street Sweeping Superintendent—salary	421
Supervising Engineer — duties — salary	448

RAILROADS—

Bell of locomotive—when to ring.....	489
Overhead railway bridges, height of....	482

	Sec.
Copy of ordinance given company....	485
Height raised if too low	483
Penalties	487
Pillars or supports—not in streets....	484
Street width and grade furnished....	486
Speed of trains—penalties	488
Street crossings—duties	491
Electric lights maintained at.....	494
Gate required at	492
Train standing on—time limit.....	493
Whistle or discharging steam—forbidden	490
Street Railway—streets allowed on....	495
Grade of street, duty as to.....	495
Guards or fenders.....	497
Penalties	498
Poles, duties concerning.....	496
Streets, repairs of, when to make....	496

SECOND-HAND DEALERS—

Records and reports to keep and make....	499
Who considered second-hand dealers....	500
Penalties for offenses	501
Junk dealers	502

SEWERS—

General rules for constructing.....	503
Acceptance of work	505
Assessment— how made	506, 507
Bids for constructing—bond	504
Costs, city not liable for.....	508
Defined (Sub. sec. 12)	22
Downspout, unlawful to connect with....	519
Mayor to have charge of.....	519
Garbage, not to be dumped in.....	518
Commission or mistake of official not to invalidate ordinance	509
Ordinances in conflict repealed.....	520
Tapping, plumber to do	512
Application for, what shall state....	517
Manner of	515
Penalty for, without permit.....	514
Permits for—how obtained.....	513, 514
Notify, whom to	516
Ten-year plan—law applicable to....	510

SIDEWALKS—

Bicycles forbidden on	287
Business on	384
Chicken coop, etc., on, forbidden	179
Construction of—general provisions	521, 522
Assessments for—lien	533

INDEX

	Sec.
Bids for	527
Contract and bond	528
Cost of—how paid—city not liable..	525
Error of official not to effect valid- ity of ordinance	535
Grade, how fixed	524
Penalty for changing	538
Inspection and acceptance of.....	532
Inspector—how furnished and paid..	534
Material to be used	536
Grass plot—when may be laid.....	537
Old brick and curbing—property of owner	530
Plans for—Engineer to provide	526
Repairs, when and by whom made....	539
Holes in sidewalk	540
Time must be made	541
Penalty for failure to repair.....	542
Rights not waived by commissioners	543
Rubbish, removal of	531
Specifications for work	523
Work, when begun—how done.....	529
Fish stands, not to be on	179
Fruit stands or permanent business on.	384
Garbage, filth, not deposited on	5, 20
Gasoline pump—how constructed on..	389
Horse or vehicle upon	392
Loitering or sleeping on	333
Lunch stand on	214, 215, 216
Snow, removal from	386
Sweepings from stores forbidden on..	341
Signal lamps, etc., removing.....	340
Steps extending over or to cellar....	39
Vehicles or merchandise, obstruct- ing	389, 390
Vegetable matter, unlawful to throw on	341
Windows extending over	39

STREETS AND ALLEYS—

Private Use Of—

Alleys—obstructing with building ma- terial	63
Animals, selling loose forbidden on..	299
Awning or shed over—permit re- quired	566
Ball, playing on forbidden	311
Begging on street forbidden	331
Bells, ringing on forbidden.....	339
Buildings, streets or sidewalks, use of street for construction of	575
Buildings—portion of street may use for	62

	Sec.
Cattle—regulating driving of	381
Chicken coops , etc., not to put on street	179
Congregating on street	319
Encroachment on alleys forbidden ...	568
Penalty for	569
Excavation of—permit required....	36, 570
Restored to proper condition.....	571
Applicant for to make deposit.....	571
Fenced in—how	572
Replaced in what time	573
Brick or macadam—city to tear up..	574
Bond before making	37
Fish stands—not to stand on—penalty.	179
Fruit stands or permanent business on.	384
Garbage or filth—not to be deposited on	5, 20
Hauling hay, straw, etc., on—kind of wagon used	343
Horses or other animal—manner of use on forbidden	294
Loitering or sleeping on	333
Lunch stand on	214, 215, 216
Noises, making loud, in street.....	339
Obstructions on—lights about, main- tained	64
Obstructnig by congregating on.....	319
Peddler or vendor, not to stop on....	332
Railway bridges over—height above..	482
Pillars or supports not allowed on..	484
Riding or driving—speed limit.....	294
Signal lamps, etc., removing, unlawful.	340
Stables—distance from street—regu- lating	353-4-5
Superintendent of street sweeping....	421
Sweeping from stores on streets for- bidden	341
Traction engines, etc., on what streets forbidden	393
Vegetable matter, throwing on unlaw- ful	341
Vehicles standing on	320
Boxes or merchandise on forbid- den	389, 390

STREETS AND ALLEYS—

Traffic On—

Rules for driving (32 Rules).....	544
R. 1—Slow-moving vehicles.	
R. 2—Meeting—how to pass.	
R. 3—Overtaking—how to pass.	
R. 4—Avenue or park in middle— how to pass.	

INDEX

	Sec.
R. 5—Turning corners to right.	
R. 6—Turning corners to left.	
R. 7—Crossing street.	
R. 8 and 9—Stop—how done in fire district.	
R. 10—Backing—when allowed.	
R. 11—Stopping—signal to be given.	
R. 12—Turning—when and how signal given.	
R. 13—Crossing—signals by police.	
R. 14 and 15—Right of way—who shall have.	
R. 16—Street cars have right of way.	
R. 17—Waiting vehicle, when to give way to others.	
R. 18—Stopping for fire engines to pass.	
R. 19—Street cars to stop for fire engines—when.	
R. 20—Speed.	
R. 21—Speed in crossing street.	
R. 22—Street cars, vehicles to stop so as not to injure passengers on.	
R. 23—Covered vehicle obstructing view, forbidden.	
R. 24—Cruelty to horse forbidden.	
R. 25—Horse—not to annoy with whip, etc.	
R. 26 and 27—Pedestrians, rights of.	
R. 28—Vehicle—what the word includes.	
R. 29—Horse—what the word includes.	
R. 30—Driver—what the word includes.	
R. 31—Police—driver to obey.	
R. 32—Penalty for disobeying rules.	
Congested district defined	545
Driver—defined	548
Motor vehicle—defined	549
Bell, horn or signal device	556
Driver—when and how to give signals	556
Fee for registration	560
Garages, stable or alley—emerging from	563
Interference with by other than owner	564
Lamps—kind of—when and how used	557
Muffler or silencer—provided with.	558
Penalty	565
Registered and numbered—how	559

	Sec.
Registered by non-resident	554
Standing— rules concerning,	561, 562, 564
Street cars—when approaching	563
Non-resident—when to register motor vehicle	554
Pedestrians—how to cross street	553
Police to have control of traffic	550
Public gathering—congested traffic—rule	552
Signals—kind of and who to give	551
Street defined	546
Traffic—moving of	551
Vehicle—defined	547
Parking on certain squares allowed	562
STREET IMPROVEMENTS—General	
<i>Regulations and Specifications—</i>	
Acceptance, use of street is not	586
Bids, how advertised for	582
How made and what to contain	583
Contract and bond—when and how made	584
Concrete foundation—care of	604
Cement for	601
Mixing and laying	604
Sand for	602
Stone for	603
Thickness	600
Cost—assessment for—how made	579
Bonds for, when not paid in cash	579
City not liable for	580
Collection of—how enforced	580
Suit for—when city to bring	580
Curb and gutter—cement curb	672
Cement curb and gutter combined	673
Granite curb	674
Limestone curb	675
Gutter, brick	676
Cement	677
General provisions	671
Definition of words and terms used	577
Embankment—how made	598
Excavating and grading	597
Extra work—how paid for	594
Gas, water and sewer pipe connections, regulating	588
General provisions to govern—exceptions	576
Grade—how and by whom fixed	578
Header stones—how laid—kind to be used	605

INDEX

	Sec.
Injuring, how precautions taken to prevent	591
Inspectors—employment of, how paid.....	592
Materials—quality of—regulations.....	589
Measurements—how made	590
Old material—how disposed of.....	581
Ordinance—what shall not invalidate.....	595
Rights enumerated not to exclude others	596
Sub-grade—how protected	599
Tax bills—when and how made out.....	593
Travel not to be impeded	587
Work—when begun—how done	585
STREET PAVING—Kinds and Types—	
<i>Asphalt, Sreet—Type A—</i>	
Asphalt—meaning of term	613
Asphalt cement—how prepared	616
Binder course, how made and laid.....	611
Combining and mixing sand and asphalt cement	619
Filler—of what to consist.....	618
Flux—what it shall be	615
Foundation—provisions that apply.....	608
General provisions	606
Header stones	609
Pavement—of what to consist.....	610
Refined asphalt—how made	614
Sand—how graded	617
Sub-grade	607
Wearing surface—of what composed	612
<i>Asphalt, Sheet—Type B—</i>	
Type A provisions to govern—except	620
<i>Asphalt, Sheet—Type C—</i>	
Type A provisions to govern—except	621
<i>Asphalt Block—</i>	
Blocks, how laid	627, 629
Compositions of	628
Foundation	624
Header stones	625
Mortar bed—of what composed.....	626
Sub-grade	623
General provisions	622
<i>Asphalt Binder—</i>	
Bitumen—material to be used	637
Foundation—new	633
Old	634

	Sec.
General provisions	630
Header stones	632
Sub-grade	631
Wearing surface—Penetration method	635
Mixing method	636
<i>Brick Paving—</i>	
Bituminous filler	648
Cement filler	647
Expansion joints	643
Foundation	640
General provisions	638
Handling and laying	645
Header stones	641
Rolling and tamping	646
Sand cushion	642
Sub-grade	639
Wearing surface	644
<i>Cement Paving—</i>	
Foundation	661
General provisions	659
Header stones	662
Sub-grade	660
Wearing surface	663
<i>Granite Block Paving—</i>	
Cement filler	658
Expansion joints	657
Foundation	651
General provisions	659
Header stones	662
Sub-grade	660
Wearing surface	663
<i>Macadam—Type A—</i>	
Foundation	666
General provisions	664
Sub-grade	665
Wearing surface	667
<i>Macadam—Type B—</i>	
General provisions	668
Sub-grade	669
Wearing surface	670
<i>Traction Company—Parts of Streets to Build—</i>	
Brick paving—specifications for....	679
Bitulithic paving—specifications for	680
General provisions	678
Ordinance to specify kind of paving.....	681

INDEX

	Sec.		Sec-
Ordinance to provide under what specifications	683	Name, when corrected by Auditor...	684
Work done under what other provisions	682	WARDS OF CITY—	
TAX BILLS—		City divided into six wards	689
Collection of by Contractor.....	686	First Ward	690
Contractor may have—when—form of.....	685	Second Ward	691
When not entitled to	688	Third Ward	692
Lien not waived	687	Fourth Ward	693
		Fifth Ward	694
		Sixth Ward	695

MEMORANDA

MEMORANDA

MEMORANDA

MEMORANDA

MEMORANDA

MEMORANDA

MEMORANDA

MEMORANDA

MEMORANDA

MEMORANDA

UNIVERSITY OF ILLINOIS-URBANA



3 0112 066943975